THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 31st January 1929.

The Council met at 11 o'clock, Mr. President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.
Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.
Krishnan Nayar, The hon. Diwan Bahadur M.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S
Seturatnam Ayyar, The hon. Mr. M. R.
Abdul Hameed Khan Sahib Bahadur.
Abdul Hye Sahib Bahadur, K.
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.
Adinarayana Chettiyar, Bar.-at-Law, Mr. T.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Basheer Ahmad Sayeed Sahib Bahadur.
Bazl-ul-lah Sahib Bahadur, C.I.E., O.B.E., Khan Bahadur Muhammad.
Bhaktavatsulu Nayudu, Mr. P.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Biswanath Das Mahasayo, Sriman.
Chidambaranatha Mudaliyar, Mr. T. K.
Corley, Mr. F. E.
Cotton, C.I.E., I.C.S., Mr. C. W. E.
Cunningham, Mr. C. B.
Dorai Raja, Rajkumar S. N.
Ellappa Chettiyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Foulkes, Mr. R.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Guruswami, Rao Sahib L. C.
Hampayya, Rai Sahib M.
Harisarvottama Rao, Mr. G.
Hearson, Mr. H. F. P.
James, Mr. F. E.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kavalappara Muppil Nayar alias Kumaran Raman.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Koti Reddi, Bar.-at-Law, Mr. K.
Krishnaswami Ayyar, Mr. Alladi.
Krishnaswami Nayakar, Mr. K. V.
Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendra Bahadur Varu).
Kumaraswami Reddiyar, Diwan Bahadur S.
Kuppuswami, Mr. J.
Madhavan Nayar, Mr. K.
Maharaja of Venkatagiri K.C.I.E., Captain Sir the (Raja Velugoti Sri Govinda Krishna Yachendrulavar).
Mahmud Schamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Moidoo Sahib Bahadur, Khan Sahib T. M.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Muthulakshmi Reddi, Dr. (Mrs.) S. (*Deputy President*).
Muthuranga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayana Nambudripad, Rao Bahadur O. M.
Narayanaswami Chetti, Diwan Bahadur G.
Narayanaswami Pillai, Mr. T. M.
Obi Reddi, Mr. C.
Parasurama Rao Pantulu, Mr. A.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Premayya, Mr. G. R.
Rajan, Mr. P. T.
Ramachandra Padayachi, Mr. K.
Ramachandra Reddi, Mr. B.
Ramalinga Reddi, Mr. C
Raman Menon, Mr. K. P.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ranganatha Mudaliyar, Mr. A.
Robertson, Mr. R. J. C.
Sahajanandam, Swami A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Sarabha Reddi, Mr. K.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Siva Raj, Mr. N.
Sivasubrahmanya Ayyar, Mr. K. S.
Slater, C.M.G., C.I.E., I.C.S., Mr. S. H.
Smith, Mr. W. E.
Soundarapandia Nadar, Mr. W. P. A.
Souter, I.C.S., Mr. C. A.
Srinivasa Ayyangar, Mr. R.
Srinivasan, Rao Sahib R.
Subrahmanya Moopanar, Mr. S.
Subrahmanya Pillai, Mr. Chavadi K.
Swami, Bar.-at-Law, Mr. K. V. R.

PRESENT—*cont.*

Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr A. McG.C.
Thomas, Mr. Daniel.
Tulasiram, Mr. L. K.
Uppi Sahib Bahadur, Mr. K.
Vanavudaiya Gounder, Mr. S. Ve
Venkatapati Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C
Venkataratnam, Mr. B.
Venkiah, Mr. S.
Watson, I.C S., Mr. H. A.
Wood, Mr. C. E.
Wright, Mr. W. O.
Zamindar of Gollapalli (Srimannarayana Appa Rao Bahadur Garu, Meka).
Zamindar of Singampatti (T. N. Sivasubrahmanya Tevar, Thirthapathi).

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Action taken on the report of the Agricultural Commission.

* 1198 *Q.*—Mr. C. Gopala Menon : Will the hon. the Minister for Development be pleased to state—

(*a*) whether any action has been taken on the Agricultural Commission Report with regard to the economic enquiries which are considered as an essential preliminary to any administrative action ; and

(*b*) if the answer is in the affirmative whether it is the intention of Government to utilize the services of Revenue officers, and of the Academic Agencies of the University for the purpose ?

A.—(*a*) & (*b*) The question as to what action should be taken on the recommendation of the Royal Commission on Agriculture is under consideration.

Mr. C. Gopala Menon :—" Will the hon. the Minister be good enough to state, whether when he takes action regarding the economic enquiries of the Agricultural Commission he wishes to utilize the services of the academic agencies of the University ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" The Government will consider it."

Mr. T. Adinarayana Chettiyar :—" May I ask the hon. Minister in what stage the matter is, whether any steps have been actually taken in that direction and when the results can be expected ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" The Government have appointed an advisory committee to go into the recommendations of the Commission. As soon as their report is received, action will be taken."

Mr. T. Adinarayana Chettiyar :—" May I know whether the Committee has met and what is its personnel ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" Its first meeting is to be held on the 14th February."

Sriman BISWANATH DAS Mahasayo :—" Will the hon. the Minister be pleased to state whether he will take this House into his confidence before the Government arrive at any decision as to the steps or action to be taken on the Report of the Royal Commission on Agriculture by means of resolutions before the House ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Every attempt will be made to secure the confidence of this House."

Mr. T. ADINARAYANA CHETTIYAR :—" What is the personnel of the Committee ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Departmental heads connected with Agriculture and four non-officials."

Mr. T. ADINARAYANA CHETTIYAR :—" Who are the non-officials ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The names are not yet settled."

Mr. T. ADINARAYANA CHETTIYAR :—" Will they select some people from this House ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The matter is yet under consideration."

The hon. the PRESIDENT :—" The hon. Member may take an opportunity to suggest his own name by other means, not by means of a supplementary question."

Mr. K. V. R. SWAMI :—" May I know whether there was any advisory committee previously ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" There is a standing advisory committee of the Council."

Mr. K. V. R. SWAMI :—" How many times did it meet last year ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" There was no meeting at all."

Co-operative Societies

Appointment of Subramania Pillai and two others in the Co-operative Department.

* 1199 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Development be pleased to state with reference to the answer to question No. 1316 answered on 23rd January 1928—

(a) the qualifications, age of Subramania Pillai, Ramanatha Pillai and Jesudas Gnaniar, the districts to which they belong, the dates of their first appointments in the Co-operative department, the posts to which they were appointed, and by whom they were appointed ;

(b) the subsequent appointments held by each of the above three persons with particulars as to the places they were posted, their pay in their subsequent posts, and the dates of their subsequent appointments ;

(c) the travelling charges incurred by Government on account of their joining their appointments subsequent to the first ; and

(d) whether, in case these three persons were originally appointed to mufassal centres and subsequently posted to the City of Madras, these appointments were approved of by the Staff Selection Board ?

A.—(*a*) *to* (*c*) A statement[a] furnishing the information is appended.
(*d*) No; not necessary.

Mr. T. ADINARAYANA CHETTIYAR :—" Referring to the Appendix, page 513, I find that two of the three people appointed changed their posts within about a month. I want to know why they were shifted so soon after their first appointment and taken to Madras? Is it to enable these favoured men to secure appointments in Madras to which they would have been not qualified?"

The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Establishment of co-operative societies for Muslims in Salem and other districts.

* 1200 *Q.*—Mr. BASHEER AHMAD SAYEED : Will the hon. the Minister for Development be pleased to state with reference to question No. 648 answered on 26th November 1928 whether the Government have since received the report stated to have been called for in the answer to clauses (*a*) to (*d*) of that question?

A.—A statement[b] furnishing the information is appended.

Action taken on the Townshend Committee Report.

* 1201 *Q.*—Mr. BASHEER AHMAD SAYEED : Will the hon. the Minister for Development be pleased to state with reference to the answer to clauses (*f*) and (*g*) of question No. 648 answered on 26th November 1928, whether the Government have since finished the consideration of the Townshend Committee Report and have come to any decision thereon and whether a copy of their decisions will be placed on the Council table?

A.—The report is still under the consideration of Government.

Reduction of the rate of interest on loans to land mortgage banks.

* 1202 *Q.*—Mr. A. B. SHETTY : With reference to the answer to the supplementary question to my question No. 693 answered on 27th November 1928, will the hon. the Minister for Development be pleased to state—

(*a*) whether the Government have considered the question of reducing the rate of interest on their loans to land mortgage banks and building societies; and

(*b*) what decision they have come to regarding the matter?

A.—(*a*) & (*b*) The question is under consideration of the Government at present.

Fisheries

Closure of the Uppala Fish-curing yard in South Kanara district.

* 1203 *Q.*—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state—

(*a*) whether the Government have ordered the closure of Uppala Fish-curing yard in South Kanara district;

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[a] Printed as Appendix I on page 513 infra.

[b] Printed as Appendix II on page 514 infra.

(b) whether proposals have been received for opening a yard at Baikampadi;

(c) if the answer to (b) is in the affirmative, when the yard will be opened;

(d) whether the fishermen of Baikampadi offered to put up the necessary buildings and fence at their own cost;

(e) whether the owners of land are willing to lease it to Government free of rent; and

(f) whether, in view of these favourable circumstances, the Government propose to comply with the request of the fishermen to open a yard at least during 1929–30?

A.—(a), (b), (d) & (e) Yes.

(c) & (f) The Government intended to consider the proposal for the opening of a fish-curing yard at Baikampadi in connexion with the budget of 1929–30. As the Director of Fisheries expressed a doubt that, if the yard were opened in 1929–30, the fishermen might not be willing to put up the buildings which they originally promised to construct, the Government considered it advisable to get an assurance from the fishermen on the point and accordingly asked the Director to ascertain and report whether the fishermen would be willing to provide the buildings at their cost next year or agree to pay the cost by means of a cess, if provided at Government expense in the first instance. The Director's reply was not received in time for placing the proposal before the Finance Committee early this month. The proposal could not therefore be considered in connexion with the budget of 1929-30. The Director of Fisheries has been requested to resubmit the proposal again with full details for consideration as a budget scheme for 1930-31. If the fishermen want a yard earlier they have been advised to open one and run it as a private yard till next year obtaining salt from the department at concession rates.

Mr. MAHMUD SCHAMNAD SAHIB:—"With reference to clause (a), may I know why it was closed?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It was not working satisfactorily."

Supervision of fishermen co-operative societies.

*1204 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the fishermen co-operative societies on the West Coast are under the direct supervision of the Fisheries department and that this work is treated as a part of the department's socio-economic work;

(b) if the answer to (a) is in the affirmative, whether any special staff has been engaged for the work of supervision of co-operative societies;

(c) whether the existing staff of inspectors and sub-inspectors have other important duties which leave them no time either to supervise co-operative societies or inspect Fisheries schools; and

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(*d*) whether proposals for providing necessary staff for socio-economic work have been received by Government and if so, what orders have been passed thereon?

A.—(*a*) Yes.

(*b*) No. This work is attended to by the regular inspecting staff as part of their duties.

(*c*) & (*d*) Proposals have been made by the Director of Fisheries for strengthening the inspecting staff on the ground that the existing staff is unable to devote adequate attention to the inspection of fish-curing yards, fishermen schools and co-operative societies. No orders have yet been passed on the proposals pending receipt of the report of the Madras Fisheries Committee.

Mr. A. B. Shetty :—"May I know when the Fisheries Committee had its last meeting and when it is expected to submit its report?"

The hon. Mr. M. R. Seturatnam Ayyar :—"I cannot say off-hand; I want notice, Sir."

Industries

Development of the coir industry in South Kanara.

* 1205 *Q*.—Mr. A. B. Shetty: Will the hon. the Minister for Development be pleased to state—

(*a*) whether the Department of Industries has at any time investigated the possibilities of developing the coir industry in South Kanara; and

(*b*) if not, whether it is proposed to do anything in the matter hereafter at least?

A.—(*a*) No.

(*b*) The Special Officer on the Survey of the Cottage Industries has dealt with the coir industry in the South Kanara district and his report will shortly be taken up for examination.

Mr. A. B. Shetty :—"May I know whether the Special Officer has made any suggestion for the development of this industry?"

The hon. Mr. M. R. Seturatnam Ayyar :—"Notice, Sir."

Mr. Mahmud Schamnad Sahib :—"May I know what is his suggestion?"

The hon. Mr. M. R. Seturatnam Ayyar :—"It is published in the report and the hon. Member may verify it."

Mr. Mahmud Schamnad Sahib :—"May I know when the report was taken into consideration?"

The hon. Mr. M. R. Seturatnam Ayyar :—"As early as practicable."

Mr. K. V. R. Swami :—"May I know whether the Minister has perused this report?"

The hon. Mr. M. R. Seturatnam Ayyar :—"He must."

Protection to the indigenous pencil industry.

* 1206 *Q.*—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state whether the Government have under consideration any proposals for protecting the indigenous pencil industry from foreign competition?

A.—No.

Mr A. B. SHETTY:—"Is the hon. Minister aware that the Madras pencil industry has been suffering very severely from Japanese and German competition?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It may be so."

Mr. A. B. SHETTY:—"May I know whether the Department of Industries has acted on the suggestion of the Government as to the necessity for some measure of protection in the matter?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I do not know."

Mr. P. BHAKTAVATSULU NAYUDU:—"The answer to this question is 'No'. May I know why this negative answer is given and why should not the Government give some protection to this industry?"

The hon. the PRESIDENT:—"That is no supplementary question."

Mr. B. RAMACHANDRA REDDI:—"May I know whether the Government purchase any pencils locally?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Notice, Sir."

Mr. K. V. R. SWAMI:—"May I know whether all the requirements of Government can be met from this factory?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"I cannot say."

Mr. A. RANGANATHA MUDALIYAR:—"In giving protection, are the Government taking any measure in regard to the railway freight?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"Full details are not available though the Madras Pencil Factory has been asked to give the Director of Industries further particulars on the matter."

Mr. P. BHAKTAVATSULU NAYUDU:—"May I know from the Government what their difficulty is in buying pencils from this factory?"

The hon. Mr. M. R. SETURATNAM AYYAR:—"It is not a question concerning my portfolio."

Facilities for apprenticeship to students trained in the Trades school.

* 1207 *Q.*—Mr. A. B. SHETTY: Will the hon. the Minister for Development be pleased to state—

(*a*) whether the students in the Madras Trades school find it difficult to enter suitable firms as apprentices on account of the limited number of apprentices taken by such firms; and

(*b*) how the Government propose to give facilities to students to learn a trade in view of such difficulty?

A.—(*a*) It is not correct to say that the 'students' of the Madras Trades School find it difficult to enter suitable firms as apprentices, because it is only bona fide apprentices attached to one or other

of the firms that are admitted in the Trades School. It seems, however, to be a fact that mufassal candidates find increasing difficulty in entering firms as apprentices as the number of suitable firms taking apprentices is limited and that a number of applications for admission to the Trades School has to be refused on account of the applicants not being bona fide apprentices.

(b) In view of the importance of spreading industrial education the Government have been considering a scheme for extending the system of apprenticeship training under private companies both in the city and in the mufassal and they hope to formulate definite proposals in the course of the next official year. They have also brought forward as a Part II Scheme for 1929–30 proposals for the institution of twelve scholarships of the value of Rs. 20 per mensem tenable by mufassal candidates serving apprenticeship in one or other of the firms in Madras and attending lectures at the Trades School.

Opening of Industrial and Trades Schools at Calicut and Mangalore respectively.

*1208 *Q.*—Mr. A. B. Shetty : Will the hon. the Minister for Development be pleased to state—

(*a*) whether the Government have finally decided to open an Industrial School at Calicut and a Trades School at Mangalore in April next ;

(*b*) what the industries and trades are that will be taught in the schools ; and

(*c*) what the proposals of the Director of Industries are on the subject ?

A.—(*a*) It has been decided to open an Industrial School at Calicut and a Trades School at Mangalore as early in the official year 1929–30 as possible.

(*b*) & (*c*) The school at Calicut is intended ultimately to institute courses in cabinet-making, blacksmithy, mechanical engineering, wood-working, mechanists' work, and motor car driving and mechanism. But to begin with, classes will be opened only in cabinet-making, blacksmithy and motor car drivers' work. At Mangalore the intention is in the first instance to establish part-time classes to provide instruction in the wood-working and engineering trades including motor engineering and to consider further extensions in the light of experience gained.

These are based on the Director's proposals.

Mr. R. Nagan Gowda :—" May I know whether any industrial school will be opened in the Ceded districts ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" There is to be one for Bellary."

Mr. K. V. R. Swami :—" Are there to be any schools opened for the Northern Circars ? "

The hon. Mr. M. R. Seturatnam Ayyar :—" Not in the coming year."

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Mr. T. ADINARAYANA CHETTIYAR :—"Is there any idea of opening a school at Salem or in the central districts?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"We have no information as to the necessity."

Mr T. ADINARAYANA CHETTIYAR :—"Will the hon. Minister consider the desirability of opening a technical school in a central place in the South?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"Provided its necessity is established."

Mr. J. A. SALDANHA :—"May I enquire why in the Mangalore Trades School, the ceramic industry is not included in the courses though it is one of the important industries?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"I quite appreciate the suggestion. We wanted to undertake the ceramic survey but the proposals were voted down by the Finance Committee."

Mr. R. NAGAN GOWDA :—"Is it a trades school at Bellary?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"It is an industrial school."

Mr. K. KOTI REDDI :—"May I know where the distinction is drawn between a trades school and an industrial school?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"An industrial school gives practical and theoretical training, while a trades school gives a theoretical training."

Quantity of yarn and cloth produced in each district.

*1209 *Q*.—Mr. K. V. R. SWAMI: Will the hon. the Minister for Development be pleased to state—

(*a*) the quantity of yarn prepared in each district in each of the years 1921 to 1927;

(*b*) the quantity of cloth woven in each district on hand looms in each of the years from 1921 to 1927; and

(*c*) if the above information is not available whether the same will be called for?

A.—(*a*) & (*b*) The information is not available.

(*c*) It is not possible to get the statistics as they are not recorded in any official returns.

Mr. K. V. R. SWAMI :—"May I know whether it will entail any extraordinary expenditure to collect statistics?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"It is very difficult and will involve a lot of labour."

Mr. K. V. R. SWAMI :—"Does not the hon. Minister think that it will be very useful information."

Mr. A. KALESWARA RAO :—"May I know whether the Government intend to start a spinning factory of its own somewhere in the Presidency?"

The hon. Mr. M. R SETURATNAM AYYAR :—"We have no idea at present."

Mr. A. KALESWARA RAO :—"May I know whether any investigation is going on in Bezwada and Tuticorin through Government agency?"

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The hon. Mr. M. R. SETURATNAM AYYAR :—" Notice, Sir."

Mr. P. ANJANEYULU :—" May I know whether the Government's policy is to encourage this sort of industry ? "

The hon. Mr. M. R SETURATNAM AYYAR :—" Yes."

Mr. P. ANJANEYULU :—" If so, may I know whether it will not be up to them to make enquiries as to how much yarn is produced in each district ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I cannot say ; it is difficult."

Mr. P. ANJANEYULU :—" May I know whether the Government have any policy defined for themselves to further this industry ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I cannot say at present."

Mr. P. C. VENKATAPATI RAJU :—" Cannot this information be got very easily at least from the districts where survey of cottage industries has been carried on ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I cannot say."

Mr. P ANJANEYULU :—" Do they contemplate formulating any policy in this respect ? "

The hon. Mr M. R. SETURATNAM AYYAR :—" It will be considered at the time of passing orders. "

Mr. R. NAGAN GOWDA :—" In view of the importance of this industry in this Presidency, will the Government find out how much yarn is produced ? "

The hon. Mr. M R. SETURATNAM AYYAR :—" We shall try, Sir."

Mr. J. A. SALDANHA :—" May I enquire why Government did not call for the figures from the All-India Spinners' Association, or whether they did ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" No."

Mr. A. KALESWARA RAO :—" Does the hon. Minister know the existence of it ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" I know it quite well."

Public Works

Conversion of the Ghaut Road between Mettupalayam and Coonoor into a trunk road.

* 1210 Q.—Mr. V. I. MUNISWAMI PILLAI : Will the hon. the Minister for Development be pleased to state—

(a) whether he is aware that due to heavy rains the Ghaut Road between Mettupalayam and Coonoor is impossible for all traffic and that consequently the people are greatly inconvenienced in getting their necessary food-stuffs at the usual prices ;

(b) whether the Government are considering the advisability of maintaining a proper alternate route to the Nilgiris Hills from Mettupalayam ;

(c) if so, whether the Government are considering the advisability of taking over the Kotagiri Ghaut Road from the Nilgiris District Board and maintaining it as a pucca trunk road ;

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(d) how long it will take for the Public Works Department to repair the Mettupalayam-Coonoor Ghaut Road;

(e) whether it is a fact that the Nilgiris District Board has submitted proposals and estimates for converting the Segur Road into a trunk road; and

(f) what the decision of the Government is thereon and whether the Government propose to make sufficient provision in the next budget for making this a trunk road?

A.—(a) Yes, the Government received reports of the damages caused to the road making traffic impossible for some time and it is therefore likely that people were put to some inconvenience in getting necessary food-stuffs at the usual prices.

(b) The Government have already considered the question and have decided that the Mettupalayam-Kotagiri Road should be made to serve the purpose.

(c) No. The Government consider that it is only necessary to maintain the road in a condition fit to carry trunk road traffic on occasions when the main ghaut road is closed.

(d) The road was opened for traffic on the 1st January 1929.

(e) Yes

(f) The Government cannot hold out any hope that this road will be classified as a trunk road in the near future. They are prepared, however, to consider detailed proposals for its general improvement and await these from the district board concerned.

Mr. V. I. MUNISWAMI PILLAI :—"May I know, in view of the importance of this road, whether the Government will be pleased to reconsider the matter and make a thorough investigation?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"It will be considered."

Tenders for the construction of the new out-patients department in the Madras General Hospital.

*1211-A Q.—Dr. B. S MALLAYYA: Will the hon. the Minister for Development be pleased to state— 11-15 a.m.

(a) whether tenders were called for by the Executive Engineer North Presidency Division, for constructing the out-patient department under the new General Hospital scheme;

(b) from how many persons tenders were received; and

(c) the names and other particulars of the persons who offered to take up the work?

A.—(a) Yes.

(b) Seven.

(c) The names of the tenderers are—

1. N. Selvaperumal Mudaliyar,
2. A. L. Viswanatha Chetti,
3. C. Dharmalinga Mudaliyar,
4. The General Construction Company, Limited,
5. T. Namberumal Chetti,
6. Messrs. Gannon Dunkerly & Co., Limited, and
7. P. Thirulokanatha Mudaliyar.

It is not clear what the hon. Member means by "other particulars."

Dr. B. S. MALLAYYA :—"May I know, Sir, whether all the tenders were received in time, or any concession shown to any one else, whatever might be the quotations of other tenderers ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"With reference to the answer to this question I may say that as given in 1211-B 'particulars have been called for from the Chief Engineer' and as soon as we get those particulars, we shall give all the information that is asked for."

Dr. B. S. MALLAYYA :—"May I know, Sir, whether this work is being done by other firms ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"From the answer given to the next question, you will find the name of the firm who are doing this work and that is 'The General Construction Company, Limited'."

Dr. B. S. MALLAYYA :—"There is nothing there to say that the work is not being done by anybody else. I should like to know from the hon. Minister whether he is aware that this work is being done by other firms as well ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"The answer is given in the next question."

Mr. P. ANJANEYULU :—"May I know whether any time was fixed before which the tenders should be submitted ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"We have called for a report from the Chief Engineer in extenso and as soon as it is received, we will be able to give all the information that is asked for."

Mr. P. BHAKTAVATSULU NAYUDU :—"May I know from the hon. Minister whether the present contractor to whom the work has been given was the lowest tenderer among all the tenderers ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"How can I reply to it now ? It all depends upon the particulars that will be received from the Chief Engineer."

Dr. B. S. MALLAYYA :—"I personally referred the matter to the hon. Minister some months back, and he said that the matter could be got. I think the information could be got within two hours, or I may say even within five minutes. I do not know why there should have been so much delay on the part of the Government to get this information ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"We have been in correspondence with the Chief Engineer for a long time."

Mr. P. BHAKTAVATSULU NAYUDU :—"May I know when he expects the report ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"As early as possible."

Mr. P. BHAKTAVATSULU NAYUDU :—"May I know how he is interested in delaying this matter ?"

The hon. Mr. M. R. SETURATNAM AYYAR :—"I am not at all interested."

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Tenders for the construction of the new out-patients dispensary in Madras General Hospital.

*1211-B *Q.*—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Minister for Development be pleased to state—

(*a*) whether the new building for out-patients dispensary in the Madras General Hospital has been given in a lump sum contract, and if so, to whom;

(*b*) whether a certain date was fixed as the last day for receiving the tenders and whether the time was afterwards extended, and if so, what were the reasons for extension;

(*c*) how many tenders were received on or before the day originally fixed for receiving tenders and how many were received during the extended time;

(*d*) whether the company to whom the contract has been given had given the tender before the date originally fixed or only after that and if in the latter case whether any reason was given by the company for not giving the tender in proper time and whether its tender was accepted;

(*e*) whether the tender was in proper form and satisfied the conditions and details required for lump sum contracts;

(*f*) whether the company to which the contract has been given is a registered company, and if so, what its subscribed and paid-up capital is;

(*g*) if it is not a registered company, who are its partners;

(*h*) whether the company has done any big work before this for the Government;

(*i*) how long the company has been in existence; and

(*j*) whether the Government will be pleased to give a statement showing all the tenderers for this work with the amounts mentioned in their tenders and also whether there were among them persons who have already done big works satisfactorily and whose tenders for this work were for a lower sum than that given in the accepted tender?

A.—(*a*) Yes. The contract was given to the General Construction Company, Limited.

(*b*) *to* (*j*) The particulars have been called for from the Chief Engineer.

Excise

Excise revenue in the Ganjam district.

*1212 *Q.*—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Public Health be pleased to state the revenues of the Ganjam district from Excise for each of the years 1926 and 1927?

A.—Figures are not available for calendar years. The figures for the official years 1926-27 and 1927-28 are as follows:—

	RS.
1926–27	13,82,838
1927–28	14,54,761

Mr. R. NAGAN GOWDA:—"May I know from the hon. Minister whether there are any special reasons for this increase in the excise revenue?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I am not able to say."

Mr. R. NAGAN GOWDA:—"May I know whether any propaganda work was carried on by the Government in favour of prohibition?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Hon. Members know as well as I do that propaganda work has not yet been started by the Government."

Grants to local bodies and Temperance Organizations for anti-drink propaganda work.

*1213 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(a) the conditions on which it is proposed to give grants to local bodies and Temperance Organizations for anti-drink propaganda work;

(b) whether the organizations in receipt of aid will be at perfect liberty to criticise the Excise policy of the Government and work for total prohibition; and

(c) whether orders will be issued to the officers of the Public Health Department to co-operate with the Temperance Organizations in carrying on the propaganda?

A.—(a), (b) & (c) These questions will be considered when a detailed scheme has been framed for propaganda work.

Mr. C. GOPALA MENON:—"May I know whether the hon. Minister has called for any report from temperance associations or local bodies for carrying on propaganda work?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Number of associations and local bodies have been addressed on the subject."

Mr. C. RAMASOMAYAJULU:—"May I know when it is likely that a detailed scheme will be framed and published?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"It is being done and I hope to have it ready soon."

Mr. A KALESWARA RAO:—"May I know whether the Government are for total prohibition or for something else?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I believe, Mr. President, that this question has been answered number of times in this Council and, if my hon. Friend wants a detailed reply on the point I will refer to him to the proceedings or I will repeat them again some other day. The whole question has been answered in this Council number of times."

Mr. P. BHAKTAVATSULU NAYUDU:—"It is stated in answer to this question that a detailed scheme is going to be framed for carrying on propaganda work. Therefore do the Government want to postpone any kind of propaganda work until those details are worked out?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Because propaganda cannot be started till a detailed scheme has been worked out?"

Mr. R. NAGAN GOWDA:—"May I know whether the Government are going to allot any sums for this propaganda work in the next year's budget?"

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The hon. Mr. S. MUTHIAH MUDALIYAR :—" Yes, that is the idea."

Mr. P. BHAKTAVATSULU NAYUDU :—" Are we to understand that Government are not moving in any manner at all ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" They are moving as rapidly as possible."

Mr. R. NAGAN GOWDA :—" May I know whether the Excise department will do propaganda work ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" All that can be settled in the scheme only."

Mr. P. BHAKTAVATSULU NAYUDU :—" Have Government formulated any policy to achieve to some extent the idea! put forward by a resolution of this Council, viz., prohibition ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The whole scheme is for that."

Mr. R. NAGAN GOWDA :—" Is the Excise department prepared to incur any loss in their revenue ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The policy of the Government has been greater revenue and less drink."

Mr. A. RANGANATHA MUDALIYAR :—" More drink also brings more revenue ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It may be so, Sir."

Mr. P. BHAKTAVATSULU NAYUDU :—" Have the Government issued any kind of instruction to the Excise staff for cutting short the number of liquor shops ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The staff has been instructed to act according to the needs of the place."

Mr. C. GOPALA MENON :—" Is it a fact that the Finance Committee has turned down certain sums proposed to be spent for carrying on propaganda ? "

The hon. the PRESIDENT :—" I think we are not concerned with the grants."

Mr. C. GOPALA MENON :—" We are concerned with grants proposed to be made to local bodies ? "

The hon. the PRESIDENT :—" Government are not local bodies."

Travelling allowances for members of the Excise Advisory Committee for inspection work.

* 1214 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether there are any proposals before the Government to permit the non-official chairman and members of the Excise Advisory Committee to inspect localities when objection is taken for the location of shops ;

(*b*) whether they will be entitled to draw the usual travelling and other allowances ; and

(*c*) if the answer to (*b*) is in the affirmative, what the rates of allowances are ?

A.—(*a*), (*b*) & (*c*) No such proposals are under the consideration of the Government.

Mr. A. Kaleswara Rao :—" May I know whether the hon. Minister does not consider that the Excise Advisory Committees are quite useless ? "

The hon. Mr. S. Muthiah Mudaliyar :—" It is a matter on which each one has got his own opinion. I am not in a position to say so; nor have I the materials to come to the conclusion whether they are useless or not."

Adulteration of Food stuffs

Working of the Madras Food Adulteration Act of 1918.

* 1215 *Q.*—Mr. A. B. Shetty : Will the hon. the Minister for Public Health be pleased to state—

(*a*) why the Madras Food Adulteration Act of 1918 has not yet been brought into operation;

(*b*) whether the Health Officer of the City of Madras has reported that no effective control over the sale and exposure for sale of articles of food and drink will be possible until the Act is brought into force ; and

(*c*) when the Government propose to bring the Act into operation in Madras City and to which municipalities they propose to extend it ?

A.—(*a*) The question of extending the provisions of the Act to municipal areas has been under correspondence with certain municipal councils.

(*b*) Yes.

(*c*) The proposal to extend the Act from 1st April 1929 to the Madras Corporation and to the areas under the following municipalities is awaiting the sanction of Government to the staff necessary to help the Public Analyst :—

(1) Ootacamund ; (2) Madura ; (3) Guntur ; (4) Rajahmundry ; (5) Coimbatore ; (6) Calicut ; (7) Vizagapatam ; (8) Trichinopoly.

Mr. A. B. Shetty :—" May I know why for the last so many years the Madras Food Adulteration Act of 1918 has not been brought into operation ? "

The hon. Mr. S. Muthiah Mudaliyar :—" The question of deciding to which of the municipal areas the Act should be extended and also the question of appointing a competent staff to look after the duties—all these things do take time and hence the delay."

Medical

Re-organization of the medical service.

* 1216-A *Q.*—Dr. B. S. Mallayya : Will the hon. the Minister for Public Health be pleased to state—

(*a*) what effect has been given to the Government of India Order on the Lee Commission Report in respect of the re-organization of the medical services ; and

(*b*) whether there are any districts now reserved for European I.M.S. officers as per the above order to which no such officers have been posted ?

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A.—(*a*) The hon. Member presumably refers to the scheme published by the Government of India in their press communiqué dated the 10th May 1928. This scheme provided for the gradual release of 90 posts for the Provincial Medical Services, subject to the preservation of the existing rights of Indian Medical Service officers in civil employ. The detailed measures required to safeguard these rights are being worked out by the Government of India. This Government have addressed the Government of India about the reversion of four Indian Medical Service officers who have not acquired permanent rights in our service.

(*b*) Yes. Vizagapatam, North Arcot and Guntur.

Dr. B. S. MALLAYYA :—" May I know how many Indian Medical Service officers have been reverted back ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not know wherefrom my hon. Friend got the idea that Indian Medical Service officers are to be reverted."

Dr. B. S. MALLAYYA :—" Because in the Lee Commission Report it is distinctly stated that the number of Indian Medical Service officers to be retained was 21 or 22. At present we are having four or six officers more. I should like to know from the hon. Minister what steps he is taking to restrict the number to the sanctioned number of posts ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am afraid I am not able to find out where the idea of reverting Indian Medical Service officers is got from. I do not think it is in the press communiqué that has been issued."

Dr. B. S. MALLAYYA :—" I am not talking of the communiqué. What I am referring to is the Lee Commission's Report which states that Madras should have a certain 'listed' posts for Indian Medical Service officers. At present we are having more officers than those sanctioned. I ask the hon. Minister what steps he is taking to bring this number to the sanctioned number of posts ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The Lee Commission Report has to be accepted by the Secretary of State and orders have to be passed by him. Only a communiqué has been issued by the Government of India and this Government are in correspondence with the Government of India regarding the reversion to the Military department of four Indian Medical Service officers who have not acquired a right to permanent employment."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know whether the Government communiqué referred to does not cover these four officers ? Do they make any differentiation ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Yes, they do."

Mr. J. A. SALDANHA :—" What is the difference ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The difference is whether a person's service is permanent service or acting service."

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Transfer of Indian Medical Service officers on civil duty to the military service.

* 1216-B Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Minister for Public Health be pleased to state—

(a) whether this Government intend to give effect to the recommendation of the Lee Commission that a particular number of Indian Medical Service officers now on civil duty in this province be transferred to the military service; and if so, how many Indian Medical Service officers are to be so transferred, and if so, from what date; and

(b) if the answer to clause (a) is in the negative, the reasons for not giving effect to the recommendations?

A.—(a) & (b) The hon. Member is referred to the press communiquè issued by the Government of India, Department of Education, Health and Lands, on the 10th May 1928, which contains the details of a scheme sanctioned by the Secretary of State for the re-organization of the Indian Medical Service. This Government are now in correspondence with the Government of India regarding the reversion to the Military department of four Indian Medical Service officers who have not acquired a right to permanent employment in the Civil Medical department in this Presidency.

Mr. C. RAMASOMAYAJULU:—"In the second sentence of the answer given to this question it is stated: "This Government are now in correspondence with the Government of India regarding the reversion to the Military department of four Indian Medical Service officers who have not acquired a right to permanent employment in the Civil Medical department in this Presidency. May I know whether this question will be decided before the end of this financial year?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"That lies with the Government of India."

Opening of a separate Medical College for Women in this Presidency.

1217 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government propose to open a separate Medical College for women in this Presidency; and

(b) whether there is any proposal to raise the Lady Willingdon Medical School to a College?

A.—(a) & (b) There are no such proposals.

Dr. B. S. MALLAYYA:—"May I know from the hon. Minister whether the Government are contributing actually about 5 to 13 lakhs of rupees for opening a new Medical College at Vellore?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"If the question is whether the Government propose to open a medical college at Vellore, then the answer is 'No'."

Dr. B. S. MALLAYYA:—"I want to know, if they are not going to open a college themselves, whether they are not going to contribute a large sum to a missionary institution who are opening a medical college there."

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The hon. Mr. S. MUTHIAH MUDALIYAR :—"That is a separate question and I would ask for notice."

Mr. K. KOTI REDDI :—"May I know whether as a question of policy the Government do not consider it desirable that there should be one college for both men and women so far as medical education is concerned and this is also what the committee appointed by the London University has recently recommended in their report?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"It may be so, Sir."

Mr. K. KOTI REDDI :—"May I know if the hon. Minister is likely to follow that policy?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"That will be considered."

Mr. K. KOTI REDDI :—"May I ask the hon. Minister whether it is likely that he will be granting aid to institutions or bodies which will be opening medical colleges for women only?"

The hon. S. MUTHIAH MUDALIYAR :—"Government have at present no idea of opening medical colleges anywhere in the Presidency and as for grants the question will have to be decided when an application is made."

Mr. K. KOTI REDDI :—"May I know whether the Government are not contributing to an institution which is opening a medical college at Vellore for women only?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"That is a separate question for which I want notice."

Public Health.

Government aid to Ayurvedic dispensaries in the Presidency.

*1218 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Public Health be pleased to state—

(a) whether he has any scheme to render aid to deserving private Ayurvedic dispensaries in the Presidency which have been rendering medical assistance to the people ; and

(b) if the answer to clause (a) is in the positive what provision he intends to make for the purpose in the coming budget?

A.—(a) Yes.

(b) In the absence of applications for grant no provision could be made for the purpose in the next year's budget. The Government will, however, consider applications for aid that may be received in future.

Mr. G. HARISARVOTTAMA RAO :—"In view of the answer given to clause (b) that "The Government will however consider applications for aid that may be received in future", may I know how the hon. Minister will meet the necessities of the situation when applications are made?"

11-30 a.m.

The hon. Mr. S. MUTHIAH MUDALIYAR :—"When applications are made the matter will be considered in connexion with the budget to be framed in the next year."

Mr. G. HARISARVOTTAMA RAO :—"May I know if the hon. Minister intends to wait for one year before he takes any step in this direction?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"It is a hypothetical question."

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Investigation into the prevalence of malaria in the Presidency.

* 1219-A. Q.—Mr. J. A. Saldanha: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether any officer has been appointed to investigate and report on the extent of the prevalence of malaria in this Presidency;

(*b*) if so, what will be the area of his investigation, for what period he has been appointed, who has been appointed and what are his qualifications; and

(*c*) what are the various points he has to investigate into and report on?

A.—(*a*) & (*b*) In April 1927 the Government sanctioned the post of a Special Malaria Officer for a period of two years. M.R.Ry. Rao Bahadur Dr. K. Raghavendra Rao Avargal, B.A., M.B.C.M., D.P.H. (Cantab.), who has had a considerable amount of experience both in malaria investigation and in the conduct of anti-malarial campaigns in this Presidency, was appointed as the Special Malaria Officer.

The Government ordered that his investigations should be mainly confined to certain localities where malaria is known to be abnormally prevalent.

(*c*) The duties of the officer are—

(1) to carry out a detailed investigation in the localities chosen for the purpose and to report his conclusions and recommendations to Government;

(2) to watch closely the working of the scheme for the free distribution of quinine; and

(3) to guide the anti-malarial staff in the Gudem taluk of the Vizagapatam Agency in their investigations.

Mr. J. A. Saldanha:—"For what period was this malaria officer appointed?"

The hon. Mr. S. Muthiah Mudaliyar:—"He was originally appointed for two years; the period has been extended by one year."

Dr. B. S. Mallayya:—"If his work is to carry on investigation in malarial areas, may I know what made him survey Ootacamund and what is the result of his investigation?"

The hon. Mr. S. Muthiah Mudaliyar:—"Notice, Sir."

Proposals for controlling malaria.

* 1219-B Q.—Mr. A. B. Shetty: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether the special malaria establishment has submitted any proposals to the Government for the control of malaria; and

(*b*) whether there is any proposal to place this malaria establishment on a permanent basis?

A.—(*a*) Yes.
(*b*) No.

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Production of films on health subjects.

* 1220 Q.—Mr. A. B. SHETTY: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Public Health Department has produced any films locally on health subjects and if so, on what subjects;

(b) whether the Government are providing funds for this purpose; and

(c) whether any books and pamphlets published by the British Social Hygiene Council have been translated into vernaculars and if so, into which languages?

A.—(a) No.
(b) Yes.
(c) No.

Mr. A. B. SHETTY:—"May I know whether the Public Health Department are using films for health propaganda?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Yes, to a certain extent."

Mr. A. B. SHETTY:—"May I know whether the Public Health Department have produced any films locally?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"We are providing funds for next year."

Registration

Appointment of clerks as Sub-Registrars since 1927.

* 1221 Q.—Mr. D. NARAYANA RAJU: Will the hon. the Minister for Public Health be pleased to state—

(a) how many clerks were appointed as Sub-Registrars in 1927 and 1928 up to date; and

(b) what are the districts from which they have been taken?

A.—(a) Four and six respectively.
(b) These were taken from the registration districts of Madras, Salem, Madura, Trichinopoly, Erode, Chittoor, Palamcottah and Palghat.

Mr. D. NARAYANA RAJU:—"May I know, Sir, why no clerks have been taken from any of the Telugu districts?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Because, I understand that there are a large number of probationary sub-registrars to be confirmed."

Mr. D. NARAYANA RAJU:—"Is there any proportion for that?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"There is no fixed proportion. It depends on the needs of the districts."

Mr. D. NARAYANA RAJU:—"May I know whether the Government will distribute these appointments in some fair proportion among all these districts?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The clerks in each district who are qualified to hold the post are appointed in that district."

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Position of unpassed matriculate clerks in the Registration department.

* 1222 Q.—Mr. D. NARAYANA RAJU: Will the hon. the Minister for Public Health be pleased to state whether it is a fact that clerks of the Registration department who are unpassed matriculates but have been granted exemption are not allowed even to act as sub-registrars while S.S.L.C. clerks in a similar position who have not satisfied the conditions of the latest Government Order regarding minimum qualifications to public service are allowed to hold such posts, both acting and permanent?

A.—By the expression "unpassed matriculates" the hon. Member presumably means persons who appeared for the Matriculation Examination of the Madras University but failed to pass it. The cases to which he refers are presumably those of such men exempted only to hold the post of clerks. Where an exemption covers only a clerk's post, the exemptee cannot without a further special order act as sub-registrar.

2. What the hon. Member means by "in a similar position" is not clear. The situation is as follows:—

Before the issue of G.O. No. 965, Public, dated 16th November 1926, any man who held a completed Secondary School-Leaving Certificate was eligible for superior service in the Registration department and so fit for promotion to the rank of sub-registrar. Any man so qualified who was confirmed prior to the issue of G.O. No. 965, Public, dated 16th November 1926, is therefore unaffected by it and is fully eligible for promotion to sub-registrar. The same immunity is attached to men with the same qualification whose cases came under G.Os. No. 137, Public, dated 14th February 1927, and No. 675, Public, dated 29th July 1927; that is to say, though their qualifications do not satisfy the strict letter of the new conditions their service under the old rules with the old qualification was sufficient to justify their being considered normally recruited men.

3. The position is therefore that there is no comparison between the two sets of cases the hon. Member treats as parallel.

Mr. D. NARAYANA RAJU:—"May I know whether the Government propose to place the 'old failed matriculates' and S.S.L.C. men in a similar condition on the same footing?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I am not aware where they are differentiated. If specific instances are shown, I shall examine the question."

Alleged pressure of work in the Registration offices.

* 1223 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Public Health be pleased (i) to place before the House the rules of Government and the Inspector-General of Registration as to office hours and work to be done on holidays and before and after office hours, and (ii) to state—

(*a*) whether the rules give scope for Registration office establishments being kept working and whether as a matter of fact most registration office

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staffs in the Presidency are kept working, before and after the fixed office hours and during holidays;

(b) what action Government have taken to give relief to such staff; and

(c) whether it is a fact that the time taken for applying for temporary establishment and getting orders thereon as a rule prevents any relief being applied for, or if applied, the relief granted being availed of and whether therefore the staffs are overworked to keep the percentage required?

A.—(i) A copy [a] of the rules is annexed.

(ii) (a) Under Standing Order No. 101, Part II of the Registration Manual, the regular establishment is expected to work extra hours to cope with any temporary and inappreciable increase in their duties.

(b) Under Standing Order No. 98, Part II of the Registration Manual, where there is sudden increase of work, which cannot be performed by the ordinary establishment without detriment and inconvenience to the registering public, temporary clerks are appointed.

(c) The Government do not think so.

Mr. J. A. SALDANHA:—"May I enquire whether it is not a fact that in a large number of offices the establishment is made to work on Sundays and holidays also?"

The hon. the PRESIDENT:—"To what clause does this supplementary question refer?"

Mr. J. A. SALDANHA:—"It refers to clauses (a), (b) and (c)."

The hon. the PRESIDENT:—"It is not admissible."

Corporation

Action taken on the resolutions passed by the Madras Corporation.

*1224 *Q.*—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(i) how many resolutions concerning action to be taken directly by the several departments of the Executive were passed by the Corporation Council during the year 1927-28; and

(ii) how many of them were given effect to and how many were not given effect to by the then Commissioner even without being sent to the heads of departments concerned; and for what reasons?

A.—The hon. Member is referred to paragraph 6 of the Administration Report of the Corporation of Madras for 1927-28 which gives a list of the important resolutions passed and the action taken thereon. Copies of the report are on sale at the Municipal office.

Mr. P. BHAKTAVATSULU NAYUDU:—"The answer is very vague, Sir. I am not asking about the important resolutions alone. I am asking how many

a Printed as Appendix III on pages 514-515 infra.

resolutions were given effect to and how many were not given effect to without being sent to the heads of departments concerned. May I request the hon. Minister to give a definite answer to my definite question? The answer already given is vague, Sir."

The hon. the PRESIDENT :—"The hon. Member is not entitled to put a supplementary question of that type."

Education

Re-organization scheme of the Education department.

* 1225-A *Q.*—Mr. ABDUL HAMID KHAN : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether the re-organization scheme of the Education department is ready;

(*b*) whether there is any proposal to better the position and prospects of college assistants in the Subordinate Educational Service so as to attract the best possible material;

(*c*) how many of the candidates appointed as college assistants during the last seven years hold research qualifications or have taken a first class in their University Degree examinations;

(*d*) whether the subordinate service officers (teaching line) do practically the same work as officers of the M.E.S. and I.E.S. and take even B.A. and Honours classes; and

(*e*) whether the Government propose to consult the Legislative Council before passing final orders?

A.—(*a*) No, the question is under consideration.

(*b*) Yes.

(*c*) The information required is not available with Government. They do not consider that any useful purpose will be served by collecting the information.

(*d*) The answer to the first part of the clause is in the negative. What responsible work is done by the Subordinate Educational Service is performed under the guidance of the higher officers whose function it is to accept responsibility for the organization and efficiency of their respective departments and to arrange for the distribution of work.

(*e*) No.

Mr. ABDUL HAMID KHAN :—"May I know when the scheme will be formulated?"

The hon. Dr. P. SUBBARAYAN :—"As soon as we receive the sanction of the Government of India. The scheme has already been submitted to them."

Mr. ABDUL HAMID KHAN :—"With reference to clause (*b*), may I know in what manner, Sir?"

The hon Dr. P. SUBBARAYAN :—"This is not a matter which was referred to the Government of India; it can be done by the Local Government. The Finance Committee have accepted our recommendation."

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Mr. Abdul Hamid Khan :—" With reference to answer to clause (c), may I request the Government to collect the information ? "

The hon. Dr. P. Subbarayan :—" Yes, Sir."

Mr. Abdul Hamid Khan :—" With reference to clause (b), may I know why the scheme has not been published or placed before the Legislative Council ? "

The hon. Dr. P. Subbarayan :—" As a matter of fact the scheme was placed before the Finance Committee; they have approved of the scheme; and provision for it is made in the budget which will shortly be presented to the Council."

Mr. P. Anjaneyulu :—" Sir, will the scheme involve the incurring of greater expenditure than at present and as such require the vote of the House ? "

The hon. Dr. P. Subbarayan :—" Of course it will."

Mr. P. Anjaneyulu :—" If so, do the Government still stick to the answer given to clause (e) and are they not going to consult the Legislative Council before passing final orders ? "

The hon. Dr. P. Subbarayan :—" I said that the Legislative Council would have an opportunity of discussing this matter in connexion with the budget for 1929–30."

Mr. Basheer Ahmad Sayeed :—" May I know whether the scheme includes the betterment of the prospects of the Deputy Inspectors of Schools as well ? "

The hon. Dr. P. Subbarayan :—" It relates to increase of pay to almost all the officers of the Subordinate Educational Service."

Mr. Basheer Ahmad Sayeed :—" Does it specifically include Deputy Inspectors ? "

The hon. Dr. P. Subbarayan :—" They are also members of the Subordinate Educational Service."

Re-organization of the Educational Service.

* 1225-B *Q.*—Mr. J. A. Saldanha : Will the hon. the Minister for Education and Local Self-Government be pleased to state whether Government have passed any orders on the question of the re-organization of the superior educational services, and, if so, what they are ?

A.—Orders have not yet been passed.

Mr. J. A. Saldanha :—" May I know when the orders will be passed ? "

The hon. Dr. P. Subbarayan :—" As soon as the budget is passed by the Council."

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Supply of books to elementary schools.

*1226 *Q.*—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state, in reference to answers given to question No. 833 on 29th November 1928—

(*a*) whether the rule contemplated therein has been issued; and

(*b*) whether he will consider the desirability of amending the rule so as to leave sufficient freedom to the local bodies to take or reject the advice of the District Educational Officer?

A.—(*a*) The draft rule has been confirmed.

(*b*) No.

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the hon. Minister considers that this is such an important matter that the local bodies are incompetent to decide it even after the advice of the District Educational Officer?"

The hon. Dr. P. SUBBARAYAN:—"It is found in practice that the advice of the District Educational Officer is not accepted."

Mr. G. HARISARVOTTAMA RAO:—"May I know if that is a sufficient ground for taking away the liberty of the local bodies?"

The hon. Dr. P. SUBBARAYAN:—"Yes, Sir."

Action taken on the Physical Education Committee's report.

*1227 *Q.*—Mr. A. B. SHETTY: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether the Government have considered the report of the Physical Education Committee and passed any orders on it; and

(*b*) whether any grants will be provided in the coming budget for giving effect to the recommendations of the Committee?

A.—(*a*) The report is under consideration of Government.

(*b*) No. When, however, orders are passed on the report it is found that additional funds are needed in the current year for the purpose, the question of applying for supplementary grant will be considered.

Mr. A B. SHETTY:—"May I know when the Government are likely to pass orders?"

The hon. Dr. P. SUBBARAYAN:—"Before the budget discussion takes place."

Local Boards

Construction of a bridge over the main channel between the Undavalli and Duggirala in Guntur district.

*1228 *Q.*—Mr. P. ANJANEYULU: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether the Government had at any time any proposals to construct a bridge over the main canal between Undavalli and Duggirala in the Guntur district;

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(b) whether the Government are aware of the fact that year after year fatal accidents occur to cattle crossing this wide canal at Thadepalli (Kistna canal junction);

(c) whether the authorities concerned have taken any and if so, what steps to prevent such accidents;

(d) the number of such accidents during the last three years, and the amount of loss in its approximate money value;

(e) whether the Government have received any representations from the ryots of the villages in the vicinity on the subject; and

(f) if so, whether Government have passed any orders thereon?

A.—(a) No.

(b) No.

(c) There is a bridge across the main canal near Undavalli and the Government understand that there are eight places between Undavalli and Duggirala where ballacuts or small boats are available for people and cattle to cross over.

(d) The Government have no information.

(e) No.

(f) Does not arise.

Mr. P. Anjaneyulu :—"With reference to answer to clause (b), may I know whether the Government are aware that the other side of Thadepalli is a thoroughfare?"

The hon. Dr. P. Subbarayan :—"Notice, Sir."

Mr. P. Anjaneyulu :—"As regards (d), will the Government call for the information?"

The hon. Dr. P. Subbarayan :—"Yes, Sir."

Repairs to the Kotagiri Ghaut Road.

* 1229 Q.—Mr. V. I. Muniswami Pillai : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether he is aware that due to recent heavy land, etc., slips on the Nilgiris Railway line and the Mettupalayam-Coonoor Ghaut Road all the traffic are diverted through the Kotagiri Ghaut Road under certain restrictions imposed by the President of the Nilgiris District Board and the District Magistrate of the Nilgiris; and

(b) whether the Government propose to give special subsidy to the Nilgiris District Board to thoroughly repair the Kotagiri Ghaut Road and bring it to its former good condition?

A.—(a) Yes.

(b) Improvements to the road at a cost of Rs. 60,700 are being carried out by the Nilgiris District Board in order to bring it up to such condition as to carry trunk road traffic on occasions when the trunk road to Coonoor and Ootacamund is closed. The Government have provided a grant of Rs. 34,200 for this purpose in the current year.

Mr. V. I. Muniswami Pillai :—"May I ask the hon. Minister whether a special subsidy cannot be allotted for this work in view of the importance of the road?"

The hon. Dr. P. Subbarayan :—"That is why a grant of Rs. 34,200 has been made."

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Construction of the Moir causeway at Uttukottai.

* 1230 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Moir causeway at Uttukottai was recently constructed by the Chingleput District Board at a cost of Rs. 37,700;

(b) whether the Government are aware that considerable damage has been caused to the causeway on account of some rains on the 12th November 1928;

(c) whether the Government have received complaints from the people in and near Uttukottai, that the damage has been caused to the causeway on account of the flimsy nature of the work by the contractor and on account of the absence of effective supervision and control over the contractor by the District Board and the Engineering department;

(d) whether patch works are being done to repair the damage; and

(e) whether, in view of the importance of the matter, the Government would direct the District Board to have the causeway examined by independent experts and have the repairs done in accordance with their advice?

A.—(a) Yes.

(b) The Government understand that the floods of November 1928 caused damage to the causeway to the extent of Rs. 1,500 to Rs. 2,000.

(c) No.

(d) The District Board has carried out the repairs immediately necessary to restore traffic.

(e) The Government are inquiring into the nature of the damage and the repairs necessary.

Mr. C. N. MUTHURANGA MUDALIYAR:—"May I ask the hon. Minister whether it is not a fact that part of the allotment made for this causeway proper was utilized for the construction of ornamental archways?"

The hon. Dr. P. SUBBARAYAN:—"I am not aware, Sir."

Mr. C. N. MUTHURANGA MUDALIYAR:—"Will the hon. Minister get that information, Sir?"

The hon. Dr. P. SUBBARAYAN:—"Yes, Sir."

Mr. ABDUL HAMID KHAN:—"May I ask the hon. Minister whether he made thorough enquiries and satisfied himself that all the money allotted for this purpose was spent on it?"

The hon. Dr. P. SUBBARAYAN:—"When a local body says that they spent the amount, we have to take it for granted that it has been spent."

Levy of toll-gate fees by the Madura District Board.

* 1231 Q.—Mr. A. PARASURAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether toll-gate fees are collected by all the district boards at a uniform rate and if so, what is the rate for motor-cars;

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(b) whether in any of the district board areas toll-gate fees are levied only once and that at the first gate and whether the rest of the gates through which the car passes that day are considered as clearance gates; and

(c) whether it is a fact that if a car is to pass about 80 miles at a stretch, the owner has to pay not less than Rs. 4 in the Madura District Board?

A.—(a) No. The maximum rate of tolls leviable on motor-vehicles is given in Rule 26 of Schedule IV to the Madras Local Boards Act. District Boards levy tolls at such rates as they settle not exceeding this maximum.

(b) & (c) The Government have no information.

Mr. B. Ramachandra Reddi:—"With reference to (b) and (c), will the Government be pleased to call for the information?"

The hon. Dr. P. Subbarayan:—"Yes, Sir."

Damages to buildings in Tuni by the recent floods.

* 1232 Q.—Mr. C. Ramasomayajulu: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that a portion of the town of Tuni abutting the Thandava river is in a precarious state on account of the erosion caused by the river;

(b) whether substantial buildings crumbled down during the recent floods and a number of substantial houses now are in a critical condition on account of their being situated on the bank which is being eroded through; and

(c) whether the Government propose to construct a stone embankment with a view to prevent the danger?

A.—(a) & (b) The Government have no precise information in the matter. The report of the Collector of East Godavari, a copy of which has been placed on the table, gives some indication of the damage done.

(c) There is no such proposal before the Government. It is for the local body concerned to move in the matter in the first instance.

Mr. C. Ramasomayajulu:—"May I know whether the Government will call for the particular information because damage was done and further damage is imminent to buildings."

The hon. Dr. P. Subbarayan:—"I do not think it is necessary, Sir."

Mr. C. Ramasomayajulu:—"Now that the local body has not moved in the matter, will the Government take the initiative?"

The hon. Dr. P. Subbarayan:—"I think there is no necessity for that, Sir."

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Civil Justice

Appointment of legal practitioners for representing the Public Prosecutor in the High Court.

* 1233-A *Q.*—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state—

(*a*) whether in several criminal cases in the High Court the Public Prosecutor is represented by other legal practitioners;

(*b*) what is the standing and experience of persons who are so deputed to represent him;

(*c*) whether the sanction of Government is obtained for such substitution; and

(*d*) whether any and if so what principles are followed in making such appointments?

A.—(*a*) Yes.

(*b*) Two are of 12 years' standing, one of 9 years and two of 6 and 3 years' standing, respectively.

(*c*) & (*d*) To ensure that cases are handled efficiently the Government have directed that there should be a panel of recognized persons from among whom the Public Prosecutor should select persons for the conduct of cases to which he cannot attend personally and that the work should be distributed more or less evenly among the juniors. The Public Prosecutor, Madras, sends from time to time a list of such juniors to Government for approval.

Mr. ABDUL HAMID KHAN :—"Sir, May I know whether it is a fact that the Manager makes his own preferences in granting adjournments in criminal cases?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It is not a fact, Sir."

Mr. ABDUL HAMID KHAN :—"May I ask the hon. Member whether it is not a fact that there is a good deal of discontent among the practitioners?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"It is not a fact, Sir. But I do not see anything about the Manager in this question."

Mr. P. BHAKTAVATSULU NAYUDU :—"Was it the practice in the time of the previous Public Prosecutors also for them to be represented by other legal practitioners?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"Yes."

Alleged practice of substitutes for the Public Prosecutor appearing against Government in some cases.

* 1233-B *Q.*—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the substitutes chosen to represent the Public Prosecutor sometimes appear against the Government in other criminal cases on the same day before the same Judge or Bench of Judges;

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(b) whether the Government have approved of this procedure and if so, on what grounds; and

(c) whether the Government will call for a report and take steps to prevent this practice?

A.—(a) The Government have no information.

(b) Does not arise.

(c) The Government are not convinced of the necessity for any action in the manner suggested.

Sriman BISWANATH DAS Mahasayo: —"May I know whether it is a fact that in a recent case a member of the Bar, who is not even on the panel sent by the Public Prosecutor, was appointed by the Manager himself without consulting the Public Prosecutor?"

11-45 a.m.

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is not a fact."

Alleged delay in issuing copies of judgments in South Kanara.

*1234 Q.—Mr. MAHMUD SCHAMNAD SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether the Government are aware that printed copies of judgments for appeal in civil suits in South Kanara are generally given several months after their delivery and that thereby parties are put to very great inconvenience;

(b) whether the Government are aware that there are several printing presses in South Kanara and that this delay is caused by giving the monopoly of this printing to only one of these presses; and

(c) whether the Government propose to take the necessary steps to prevent this delay?

A.—(a), (b) & (c) The Government have no information.

Mr. MAHMUD SCHAMNAD SAHIB:—"It is stated that the Government have no information. May I ask if the Government will be pleased to call for the information and place it on the table of the House."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"The Government will send this question and answer through the High Court to the District Judge."

Criminal Justice.

Alleged issue of orders under section 144, Criminal Procedure Code, on a Congressman at Vellore.

*1235-A Q.—Mr. A. KALESWARA RAO: Will the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to the order issued under section 144, Criminal Procedure Code, by the Magistrate of Vellore, gagging a speaker in a meeting held under the auspices of the Congress Committee;

(b) whether the Government have made an enquiry about the necessity for issuing such an order;

(c) whether the Government have expressed their approval or disapproval of such order; and

(d) whether the Government intend to issue instructions to all Magistrates not to abuse section 144?

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A.—(a) An order under section 144, Criminal Procedure Code, was served on a speaker in Vellore on 5th January 1929. Presumably the hon. Member has this in mind.

(b) No.

(c) The Government have made no comment on it.

(d) No such instructions are called for.

Mr. A. KALESWARA RAO :—" May I know if the Government have called for information under what circumstances the order under section 144 was issued at Vellore ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Government have called for the information and the answer is based on that information."

Mr. A. KALESWARA RAO :—" From whom did that information come ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" From the District Magistrate."

Alleged issue of orders under section 144, Criminal Procedure Code, on a Congressman at Vellore.

* 1235-B Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that while Mr. E. V. Ramaswami Nayakar and Mr. Surendranath Arya were allowed to hold a conference and preach against society and religion at Vellore early this month, the police and the magistracy prevented meetings being held under Congress auspices by serving orders under section 144 of the Criminal Procedure Code ;

(b) whether it is the policy of the Government to put down Congress activities and encourage anti-Congress activities ; and

(c) whether the Government propose to take any steps to indicate their position in the matter ?

A.—(a) The gentlemen mentioned addressed meetings organized by the North Arcot Non-Brahman Youth League on the 4th and 5th January; the Government have no information that they preached against society and religion. Counter-meetings were also organized by the Congress party on the same days. At the meeting of the Non-Brahman Youth League party on the 4th there was stone-throwing by the Congress party, and the situation becoming more strained during the 5th, some disturbance to the public peace was apprehended by the local authorities. Accordingly one order under section 144 was served on one Congress speaker as the circumstances rendered this action necessary.

(b) No.

(c) The Government see no reason to do so.

State Prisoners

Release of Chettali Beyumma, a detenue at Mangalore.

*1236 *Q.*—Mr. J. A. SALDANHA: With reference to my question No. 1922 answered on 29th March 1926, will the hon. the Law Member be pleased to state whether the Government now propose to cancel the orders passed on the detention of Chettali Beyumma, a Mappilla State prisoner detained at Mangalore, and allow her to return to her native place in view of the peaceful condition of Malabar at present?

A.—The answer is in the negative.

Mr. P. C. VENKATAPATI RAJU :—" Are the Government still afraid of this old woman ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Government are afraid in the sense that, if she is allowed to go back to Malabar, she is likely to perpetrate mischiefs like those she committed some years ago."

Mr. J. A. SALDANHA :—" What is her age, Sir ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The answer has been given to the hon. Member four times already in reply to previous questions ; her age is about 70."

Mr. J. A. SALDANHA :—" May I know if the Government are afraid that this old hag will be able to do mischief in any way ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The old hag, in the phraseology of the hon. Member, did very abominable acts in effecting forcible conversions of Hindus into Muhammadanism "

Mr. ABDUL HAMID KHAN :—" May I know the last occasion when the hon. Member made enquiries ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The last occasion was about three weeks ago."

Mr. ABDUL HAMID KHAN :—" What is the source of information, Sir ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The source of information is the report of the District Magistrate."

Mr. MAHMUD SCHAMNAD SAHIB :—" May I know whether the Government have received any application through the Collector ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes, as far as I can remember."

Mr. MAHMUD SCHAMNAD SAHIB :—" May I know what the recommendation of the Collector is ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Collector of Malabar and the District Superintendent of Police are strongly against her being sent back to Malabar."

Mr. MAHMUD SCHAMNAD SAHIB :—" May I know, Sir, if she is able to commit any offences when she is so old and unable to walk and see properly ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" She is not so old as not to be able to commit mischief."

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Mr. P. C. Venkatapathi Raju :—" May I know how long has she been out of Malabar ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Ever since she was deported after the Malabar rebellion."

Mr. P. C. Venkatapathi Raju :—" May I ask if the opinion of the District Magistrate of Malabar is of greater weight than that of the people of South Kanara, where she is living ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" It is the opinion of the Collector of Malabar that counts in a matter of this kind."

(Mr. T. Adinarayana Chettiyar and some other Congress Members wanted to put questions.)

The hon. the President :—" When the Leader of the Party is putting supplementary questions, it is common courtesy to be expected of other Members to allow him to finish them."

Mr. T. Adinarayana Chettiyar :—" I am told that he has finished putting questions."

Mr. P. C. Venkatapathi Raju :—" May I ask if the District Magistrate of South Kanara is of the opinion that she is inoffensive and that she may be taken away ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" So far as I can remember, no, Sir."

Mr. T. Adinarayana Chettiyar :—" May I ask if it is the opinion of the hon. the Law Member that the resources of the Government are so powerless that the Government are afraid of this 80 years' old lady ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" The Government have no resources whatever to prevent mischievous persons from doing mischiefs."

Mr. P. Bhaktavatsulu Nayudu :—" May I know if the Government have taken the opinion of Diwan Bahadur M. Krishnan Nayar, a representative of Malabar some time back, on this matter ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" The opinion of Krishnan Nayar is the same as that of the District Magistrate of Malabar."

Mr. P. Bhaktavatsulu Nayudu :—" May I know if this mighty and powerful Government are afraid of this 80 years' old lady ? "

The hon. the President :—" This is repeating a supplementary question which has already been answered."

Mr. Basheer Ahmad Sayeed :—" May I ask whether the Government have ascertained the nature of the abominable acts which this woman is alleged to have committed in the course of conversion of Hindus into Muslims and whether they got the information from the Collector of Malabar or from independent source as to the truth of these allegations ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" The Government have convinced themselves that the reports regarding the atrocities committed by this woman are true."

Mr. K. MADHAVAN NAYAR :—" May I know if the Government think that she would commit the same forcible conversions now ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" More or less."

Mr. K. MADHAVAN NAYAR :—" May I know whether there were any instances of forcible conversions after the rebellion ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because no persons were given opportunities of doing so."

Mr. K. MADHAVAN NAYAR :—" Do the Government think there are opportunities for any person to commit forcible conversions now ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I think so."

Mr. J. A. SALDANHA :—" May I know what abominable acts she is likely to commit ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I cannot give information as to the acts which she is likely to commit."

Mr. MAHMUD SCHAMNAD SAHIB :—" May I ask if the Government will be pleased to increase her allowance in consideration of her old age and weakness ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The District Magistrate thinks that the allowance, viz., Rs. 12 per mensem and the extra allowance for clothing, is ample and with that allowance she is able to live more comfortably in South Kanara than in Malabar."

Finance

Subjects discussed at the Finance Members' Conference at Delhi.

* 1237 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Finance be pleased to state—

(a) the subjects which were discussed at the recent Finance Members' Conference at Delhi ;

(b) whether that Conference discussed any matter to be placed before the Simon Commission ; and

(c) whether as a result of the deliberations or decisions of that Conference, the Government propose to make any change in the financial relations between the Madras Government and the Government of India, and if so, of what nature and when ?

A.—The Local Government are not authorized to state what subjects were discussed at Conferences convened by the Government of India. The agenda of the Conference was not concerned with any political or financial issues arising out of the enquiries of the Simon Commission.

Madras Record office

Pay and powers of the Curator, Madras Record office.

* 1238 Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Member for Finance be pleased to state—

(a) what is the present pay of the Officiating Curator, Madras Central Record office, and what is his pay in his permanent appointment in the Educational Department ;

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(b) what powers of appointment, etc. (inclusive of the grant of pension), has the present Curator in regard to the staff of the Madras Record office; when they were vested in him and under what order of the Government;

(c) whether Mr. Dodwell and the officers who were in charge of the Record office after his departure to England exercised these powers;

(d) when the powers of appointment, grant of pension, etc., were delegated to the Curator, Mr. Dodwell, and how many years after his appointment as Curator such delegation was made;

(e) whether these powers were vested at any time in the Finance Department, if so, during what period; and

(f) when and why these powers were revested in the Curator?

A.—(a) Rs. 375 in the scale of Rs. 350—25—500—50—800; Rs. 190.

(b) Full powers except in respect of the Senior Assistant. In virtue of his appointment as Curator of the Madras Record office from 17th December 1927.

(c) Yes.

(d) Mr. Dodwell was appointed Curator in 1911 and these delegations were sanctioned in 1914 and 1916.

(e) & (f) When the Collector of Madras was first placed in charge of the Madras Record office on 2nd August 1923, the Deputy Secretary, Finance, attended to office matters of the Madras Record office. On 26th September 1924 these functions were assigned to the Collector of Madras as a matter of convenience pending the appointment of a new Curator. When a Curator was appointed these powers reverted to him.

Railways

Strengthening of bridges on the railway line from Waltair to Rajahmundry.

*1239 Q.—Mr. C. Ramasomayajulu: Will the hon. the Member for Finance be pleased to state—

(a) whether the Government are aware that the railway line from Waltair to Rajahmundry was constructed nearly forty years ago;

(b) whether at that time there were large tracts of land covered with forest to the north of the railway line which held up rain water to some extent;

(c) whether subsequently the forests have been cleared and whether a large volume of water flows from the north;

(d) whether the capacity of the existing culverts and bridges on the said line has been investigated at any time subsequently and found sufficient for discharging water;

(e) the number of occasions on which portions of the line and bridges were either washed away or breached between Vizagapatam and Rajahmundry during the last ten years;

(f) whether the Government instituted enquiries into the reasons for the same; and

(g) whether the Government intend to make any investigation into the sufficiency or otherwise of the capacity of the existing bridges and culverts to discharge all the water from the north?

A.—(a) The railway line from Rajahmundry to Waltair was opened for traffic on 15th July 1893.

(b), (c), (d) & (e) The Government have no information.

(*f*) & (*g*) In connexion with the breaches that occurred in October 1928, which were due to exceptionally heavy rains, the Government have addressed the Agent, Madras and Southern Mahratta Railway, in regard to the adequacy of certain waterways in the area affected. The matter will be further investigated.

Mr. C. Ramasomayajulu :—" May I know from the hon. the Finance Member whether the Agent, Madras and Southern Maharatta Railway gave it as his opinion that the present culverts and bridges were not of sufficient width ? "

The hon. Mr. T. E. Moir :—" So far as I know, that is not the case."

Bucket shops.

Legislation for putting down bucket shops.

* 1240 Q.—Mr. S. Satyamurti : Will the hon. the Home Member be pleased to state—

(*a*) what progress, if any, has been made in the matter of legislation to put down bucket shops since November 1928 when this question was answered in the Council ;

(*b*) whether a Bill will be introduced in this Council ; and

(*c*) if not, why not ?

A.—(*a*), (*b*) & (*c*) A Bill will be introduced at the meeting of the Legislative Council commencing on the 28th January 1929.

Mr. Abdul Hamid Khan :—" May I ask whether the provisions of the Bill will apply only to the City of Madras ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" Yes, Sir."

Mr. Abdul Hamid Khan :—" May I know whether he is aware that the Bill will not serve any useful purpose if it is restricted to the city alone ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" The Government believe that the evil will be minimised to a very large extent."

Mr. Abdul Hamid Khan :—" May I know if the hon. Member is aware that in all practically important towns in the province bucket shops have already been opened ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" No, Sir. That is not our information."

Mr. C. N. Muthuranga Mudaliyar :—" May I ask the hon. Member whether he is aware that there are a number of bucket shops in Saidapet and that people from the city will go there in large numbers ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" No, Sir. The Government do not think so."

Depressed classes.

Rural and urban indebtedness of ryots in the Kallar reclamation districts.

* 1241 Q.—Mr. S. N. Dorai Raja : Will the hon. the Home Member be pleased—

(*a*) to call for and lay on the Council table an accurate and exhaustive statement of the rural and urban indebtedness of ryots in the various

sub-districts of the Kallar reclamation districts of Tanjore, Trichinopoly and Madura for 1921–26 on the analogy of the statement published at pages 264 and 267 of the Tanjore Resettlement report published in G.O. No. 1537, Revenue, dated 25th August 1922; and

(b) to state how many land mortgage banks are working now in Kallarnad?

A.—(a) The answer is in the negative.

(b) None.

Mr. R. NAGAN GOWDA:—"May I know if the Government have any policy in opening land mortgage banks?"

The hon. the PRESIDENT:—"Is it within the portfolio of the hon. the Home Member?"

Inland Waterways

Boat traffic in the Godavari river lower down the anicut.

* 1242 *Q.*—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state with reference to the answer to question No. 892 answered on 29th November 1928 regarding boat traffic in the Godavari river lower down the anicut—

(a) whether the opinion of the District Magistrate referred to in clause (a) has been received by the Government and whether the Government have passed any orders thereon; and

(b) whether the Government intend to take proper measures to control boat traffic in the river both with reference to the river-worthiness of the boats and the efficiency and capacity of the persons who ply them?

A.—(a) The opinion of the District Magistrate has not yet been received?

(b) Yes.

Irrigation

Progress of the Pulikonda project in Ongole taluk.

* 1243 *Q.*—Mr. P. ANJANEYULU: Will the hon. the Member for Revenue be pleased to state—

(a) at what stage is the Pulikonda project in the Ongole taluk, Guntur district;

(b) when the Government are likely to undertake it;

(c) whether Government have received any report from the special staff regarding the Gundlakamma project in the same taluk; and

(d) if so, whether the Government have passed any orders thereon?

A.—(a) & (b) The discharge calculations are being examined by the Chief Engineer (Irrigation) and he expects to complete this examination by May 1929. The technical scrutiny of the scheme itself will be taken up afterwards, if the discharge calculations show that a sufficient supply of water can be relied on. Until these preliminary studies are completed, it cannot be said when the Government are likely to undertake the scheme.

(c) & (d) The special subdivisional officer, appointed to investigate the scheme, has submitted his report, in which he has dealt with two proposals, viz., (1) the proposals for a reservoir near

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Tangirala and an anicut at Jammalamadugu and (2) the proposal of Mr. C. V. Krishna Rao for a reservoir and anicut between the Annangi and Malleswaram hillocks. The Government have decided that the second proposal must be dropped for the following reasons :—

(1) The site proposed for the anicut is unsuitable, because—

(a) the course of the stream is not straight but winding ;

(b) high flood banks and costly river training works will be necessary on either side ;

(c) the level of the lands on the right side of the river and west of the Malleswaram hill is below the flood level of 1927 (the highest flood level since 1881). There is every possibility of the river taking a new course to the right of the hillock if an anicut is constructed across it ; and

(d) the soil of the margin above the site of the hillock and to the right of the hillock is very sandy loam.

(2) The cost of an anicut at Annangi-Malleswaram will be more than at Peddajammalamadugu, while the cost of the canal system will not be any less, and the possible irrigation, even when all lands available up to very near the sea are taken into consideration, will not exceed 19,500 acres.

The Chief Engineer (Irrigation) is re-examining the original scheme for the construction of a reservoir at Tangirala and an anicut at Jammalamadugu.

Mr. P. ANJANEYULU :—" With reference to the answer to clauses (a) and (b) may I know the number of years for which the calculations are being examined ? "

The hon. Sir NORMAN MARJORIBANKS :—" Notice, Sir."

Improvements to the Pedalanka channel in Kaikalur taluk, Kistna district.

*1244 Q.—Mr. A. KALESWARA RAO : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government propose to develop the Pedalanka channel in Kaikalur taluk, Kistna district, into a navigation canal ;

(b) if so, at what stage the proposal is now ;

(c) what time it will take to do so ; and

(d) whether there is any proposal to extend the area of irrigation under that channel ; if so, in what villages and to what extent ?

A.—The question of making the Pedalanka channel a navigation canal has not yet been investigated. It will be considered along with the question of the extension of ayacut at the tail end of this channel, which will be examined by a special division proposed to be formed in the coming financial year for the investigation of the possibilities of extension of irrigation in the Kistna delta consequent on the erection of 6-ft. shutters over the Kistna anicut.

Extension of the irrigation under the Muneru river by the Zamindar of Muktyala.

* 1245 Q.—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Zamindar of Muktyala (Chintelapati vantu) is prepared to extend the irrigation channel from Muneru river from Nandigama (Kistna district) to Kanchela and Chintalapadu, etc ;

(b) whether it is a fact that the ryots of Ithavaram, Amberpet, Ketaveerunipadu, Kanchela, Thotaravulapadu and Chintalapadu, etc., villages in Nandigama taluk have sent petitions to the Government and to the Board of Revenue to acquire some lands in Amberpet Agraharam in the way so that the said irrigation channel from the Muneru river may be taken to their villages ;

(c) whether the Government are aware that a ryots' conference also passed resolutions to the same effect and communicated them to the Revenue authorities ;

(d) what action the Government have taken so far ; and

(e) whether the Government intend helping those ryots in the said extension of irrigation facilities by the Zamindar of Muktyala ?

A.—(a) to (c) Yes.

(d) & (e) The matter is under the consideration of Government.

Mr. A. KALESWARA RAO :—" May I ask when the final orders will be passed by the Government ? "

The hon. Sir NORMAN MARJORIBANKS :—" It is not possible for me to say, Sir."

Mr. A. KALESWARA RAO :—" May I ask if the Government will take into consideration the fact that this is the proper season for extending that canal ? "

The hon. Sir NORMAN MARJORIBANKS :—" Certainly ; the matter will be expedited as much as possible."

Repairs to the aqueduct at Gorripudi in the East Godavari district.

* 1246 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state with reference to the answer to question No. 901 answered on the 29th November 1928 regarding repairs to the aqueduct at Gorripudi in the East Godavari district—

(a) whether the report called for has been received and whether any orders have been passed thereon ; and

(b) if so, whether the same will be placed on the Council table ?

A.—(a) & (b) The report called for has not been received.

Landlord and Tenant

Introduction of the Estates Land Act Amendment Bill.

* 1247-A Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state—

(a) when the Estates Land Act Amendment Bill will be introduced in the Council ; and

(b) whether the report of the Board of Revenue referred to in answer to question No. 755-A answered on 28th November 1928 has been received ?

A.—(a) The Bill is at present under the consideration of the Government. It is not possible to say now when it will be introduced.

(b) Yes.

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Mr. K. Koti Reddi :—" May I know, Sir, when the Government are likely to come to a conclusion on this matter which has been long pending ? "

The hon. Sir Norman Marjoribanks :—" The matter may be long pending; it has not been pending long with the Government. The Government will do so as soon as possible. I cannot say more than that."

Mr. K. Koti Reddi :—" May I ask if it is not advisable to come to a conclusion at an early date so that the Bill may be introduced in March and the Select Committee that is likely to be appointed may have a long time in summer to consider the Bill ? "

The hon. Sir Norman Marjoribanks :—" That consideration will be borne in mind, Sir."

Mr. Basheer Ahmad Sayeed :—" May I ask whether the Bill is still under the consideration of the Government or has received the sanction of the Government of India ? "

The hon. the President :—" That question has already been answered; it is under the consideration of the Local Government."

Sriman Biswanath Das Mahasayo :—" With reference to a question on 28th November 1928, the hon. the Revenue Member answered and promised that he would finish the consideration of the Bill by the next month, i.e., by the end of December. May I know what considerations prevented him from finishing the consideration as he promised ? "

The hon. Sir Norman Marjoribanks :—" If the hon. Member wil quote, Sir, exactly what I said, I may be in a position to answer him.'

Sriman Biswanath Das Mahasayo :—" On 28th November 1928, in reply to question No. 755, the hon. Member was pleased to reply ' we hope to come to a conclusion by the end of next month; we will then have the Bill sent to the Government of India and if it comes in time, we will be ready '."

The hon. Sir Norman Marjoribanks :—" Yes, Sir. I am sorry it was impossible to realize the hope."

Mr. A. Kaleswara Rao :—" May I ask whether the proposals under the consideration of the Government are favourable more to the ryots or landlords ? "

The hon. the President :—" The question need not be answered. It is not admissible."

Introduction of the Estates Land Act Amendment Bill.

* 1247-B Q.—Sriman Biswanath Das Mahasayo: Will the hon. the Member for Revenue be pleased to state whether there is any likelihood of the Bill to amend the Estates Land Act being introduced in the Council in March or April this year?

A.—The attention of the hon. Member is invited to the answer to clause (a) of question No. 1247-A.

Mr. A. Kaleswara Rao :—" May I know whether the consideration of the Bill is being postponed from time to time on account of the landlords helping the Simon Commission ? "

The hon. Sir Norman Marjoribanks :—" No, Sir."

II

ADJOURNMENT MOTION REGARDING THE CLOSING OF THE BUCKINGHAM CANAL TEMPORARILY FOR TRAFFIC.

* The hon. the PRESIDENT :—" With regard to the adjournment [a] motion given notice of by Mr. Satyamurti, I wish to know, before I give my consent, when the notification regarding the closing of the Buckingham canal from Adyar to Covelong was published.

Mr. S. SATYAMURTI :—" As far as my information goes, it was after the last meeting of the Council."

The hon. the PRESIDENT :—" I want to know the date."

Mr. S. SATYAMURTI :—" I cannot say the exact date."

The hon. Sir NORMAN MARJORIBANKS :—" The notification was published in December, 8th December 1928."

* The hon. the PRESIDENT :—" May I ask the hon. Member why he did not table any resolution on the subject, what the urgency is for making the motion to-day, and why no action was taken since the commencement of this meeting."

Mr. S. SATYAMURTI :—" There was no possibility of any resolution being ballotted in time for the meeting."

* The hon. the PRESIDENT :—" I understand the hon. Member to say that if a motion had been tabled there was no chance of its being ballotted and reached. May I know the reason why the adjournment motion was not moved for the last three days ? "

Mr. S. SATYAMURTI :—" There were other motions."

* The hon. the PRESIDENT :—" I expect greater alertness. I disallow the motion."

Mr. S. SATYAMURTI :—" May I know what the reasons are ? "

The hon. the PRESIDENT :—" I cannot give my consent to the motion."

Mr. S. SATYAMURTI :—" It will be a great hardship to the people of Madras."

The hon. the PRESIDENT :—" The hon. Member has no right to reflect on the ruling of the Chair."

III

COMMITTEE TO ENQUIRE INTO THE ECONOMIC CONDITION OF KISTNA, GODAVARI EAST AND GODAVARI WEST DISTRICTS.

* The hon. the PRESIDENT :—" I have to announce to the House that the following hon. Members have been nominated as candidates for election to the Committee to enquire into the economic condition of the districts of Kistna, Godavari West and Godavari East :—

Diwan Bahadur R. N. Arogyaswami Mudaliyar.

Diwan Bahadur P. C. Ethirajulu Nayudu.

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[a] I beg to move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, viz., the proposal to close the Buckingham canal from the 1st of February for six months for boat traffic from Adyar to Covelong.

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Mr. T. M. Narayanaswami Pillai.
Diwan Bahadur B. Ramachandra Reddi.
Mr. J. Bheemayya.
„ D. Narayana Raju.
„ K. V. R. Swami.
„ B. Venkataratnam.
„ S. Venkayya.

"As the number of candidates exceed the number of vacancies, an election will take place by means of the single transferable vote under Regulation 11 (5) of the Regulations for the holding of elections by means of the single transferable vote. I fix 3 to 5 p.m. as the time for the holding of the elections. The counting of votes will commence at 5 p.m. to-day."

The ZAMINDAR OF GOLLAPALLI :—"According to the arrangement come I do not want to contest."

12 noon.

Mr. J. BHIMAYYA :—"I withdraw."

Mr. K. KOTI REDDI :—"There is no Diwan Bahadur Ramachandra Reddi here, Sir."

The hon. the PRESIDENT :—"It is a slip; it is so typed here. Election to the presidentship of a district board is the forerunner of a Diwan Bahadurship."

Mr. G. HARISARVOTTAMA RAO :—"May I know if this House is likely to sit beyond to-day?"

The hon. the PRESIDENT :—"It all depends upon the official work that remains unfinished."

Mr. G. HARISARVOTTAMA RAO :—"We would like to know, Sir."

The hon. Sir NORMAN MARJORIBANKS :—"After finishing the two items of official business that appear on the agenda we must know whether to sit to-morrow or not."

IV

A BILL TO AMEND THE MADRAS UNIVERSITY ACT, 1923.

The House then resumed discussion of the motion of the hon. the Chief Minister that the Madras University Amending Bill be passed into law.

Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I do not want to take much more of the time of this House. I merely desire to make a reference to only one point. The hon. the Minister for Education is highly mistaken if he thinks that by rushing through this piece of legislation at this stage he would be adding to the glory of his legislative achievement. It is always much more useful that the Minister came before the House with definitely settled views than with Bills that have had to be dealt with amendments of a very numerous character at the latest stage. This Bill having undergone such a modification as to necessitate almost a re-drafting after the second reading stage, I feel, Sir, that it is not right that we should pass this piece of legislation at this moment. I therefore feel no hesitation in opposing the motion for this Bill being passed into law."

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* Mr. S. SATYAMURTI :—" Mr. President, Sir, perhaps hon. Members have forgotton that, before the hon. Minister thought of introducing a Bill, I introduced a Bill to amend the Madras University Act. Afterwards owing to a change in Congress policy I gave up prosecuting the further stages of the Bill. But the Select Committee had considered both the Bills and the resultant amending Bill embodied such of the amendments of my as well as the Chief Minister's Bill which commended themselves to the Select Committee in the first instance and later on in this House. There is no doubt whatever that almost from the time the Act was made, there was need felt by the authorities of the university and by others having anything to do with it for making certain changes in the wording of the Act. On the whole I think that defects, both of language and of a technical character which interfered with the smooth and efficient working of the various university bodies, have now been removed. I am grateful that 'Oriental College' has now been defined and given a special place in the scheme of university authorities. It is but right and proper that this Indian University should give due prominence to colleges engaged in Indian studies which are here called by the word 'Oriental'. Both yesterday and at earlier stages, Mr. President, a great deal of genuine feeling has been exhibited here on the floor of this House especially on this side that the Madras University should devote more and more attention to Indian subjects of study and particularly to Indian systems of medicine. I think the Opposition may well congratulate itself that in spite of the serried ranks behind the hon. Minister they went on modifying amendment after amendment and pressed on him to accept the need for the Madras University to do its best for Indian systems of medicine. But I would assure my hon. Friends that their persistent fight for the recognition of the Indian systems of medicine will not be lost sight of by the university authorities. There is nothing in the Act which prevents the university from constituting a faculty of Indian medicine or doing anything it considers proper and necessary for the purpose of recognizing and developing Indian systems of medicine and other indigenous sciences. To the extent to which a single individual can, I propose to place before my colleagues the strong feeling of this House and see to the extent to which I can that we do our best by the Indian systems of studies, particularly indigenous medicine.

" A new clause has been added defining the powers of the university. It was perhaps necessary to put it in so as to remove any possible doubts as to the exact powers of the university as a corporate body apart from the powers of the Senate and the Academic Council. Moreover, a definite gain has been achieved in that by sub-section 17 the university has been authorized to institute a permanent fund for the maintenance of a publication bureau, employment bureau, students' unions, university extension boards and university clubs. I earnestly trust that this will not be a mere paper recognition of this important department of university work. A publication bureau is very important and already the university is doing something but is handicapped for want of funds. But if ever we are to meet adequately the enormous ignorance and illiteracy prevalent in this country, I think the universities must do their best to spread knowledge by means of publication, especially in the Indian language. I attach more importance, Mr. President, to the establishment of an employment bureau. I have often heard cheap criticism that Indian University graduates seek employment and that they do not seek education for its own sake, and it is no job of the university to find employment for its graduates. I do not agree with it at all. I believe

that the employment in honourable and useful occupation of its alumni should be one of the first cares of any University which takes interest in its alumni, and I think that the Madras university owes it to itself and to its students to bestow some attention upon this and see to it that the products that they turn out are not left to drift for themselves in the wide world and that the Alma mater shows some interest in their future career. Students unions, university extension boards, university clubs and other important activities, are also provided for.

"The other significant feature of this Bill, Mr. President, is the abolition of the Council of Affiliated Colleges. I earnestly appeal to my mufassal friends not to take a too tragic view of this abolition. Affiliated Colleges have lost nothing on the whole by their modified position under this Bill. They have perhaps lost a body which was more ornamental rather than useful or active. As a compensation for that, if I may use that phrase, they have been given increased representation on the Academic Council, which is the supreme academic body of the university. I think their representation has been nearly doubled on that body and I hope they will make themselves felt as effectively as they have been doing, if not more. Besides that, the representation of the Mufassal Colleges on the Syndicate remains intact, in spite of the abolition of the Council of Affiliated Colleges. Three representatives of the mufassal colleges will be elected by the Academic Council to the Syndicate. I therefore think they have no reason to regret the abolition of the Council of Affiliated Colleges.

"On the whole the position of the Senate remains more or less what it was although there have been changes here and there. One important change, Sir, is that the vexed question of members of certain bodies being elected in their capacity as such members to university bodies ceasing to be members of the original bodies and yet not ceasing to be members of the bodies of the university to which they were elected as members, has been set at rest by elaborate provision in this Bill. I am glad, Mr. President, that the definition of university centres has been retained and more than that the Senate has been given the power to recommend to the local Government the recognition of any local area as a 'university centre.' In section 17, Sir, sub-clause 24, it is provided that the Senate may recommend to the local Government the recognition of any local area as a university centre. I attach great importance to it. A place like Trichinopoly, for example, with its three colleges doing high class work and a large number of high schools deserves a little more recognition at the hands of the university. Let us not forget that one of the most fruitful sources of the revenues of the University of Madras is what is known as the fee income, that is fees which candidates pay for university examinations. Judged from that standard I believe Trichinopoly comes only next to Madras in the amount of revenue it contributes by means of candidates fees for university examinations. I feel something ought to be done by recognizing Trichinopoly as a university centre by opening, if possible, a university library, a university club and such other facilities as will make the students of these colleges realize that they are not merely paying fees for the university but they get something in return from the university by means of university facilities.

12-15 p.m.

"As far as the question of examinership is concerned, there has been a great deal of heart-burning in the past by the Act permitting the Academic Council and the Council of Affiliated Colleges to recommend the names of eligible

teachers for examinerships. Now the power has been removed from the Academic Council and vested in the Boards of Studies. I hope that with this change the Boards of Studies will make suitable recommendations and the Syndicate will more and more practically accept them, and that the appointments of examiners will no longer be influenced by considerations alien to the needs of the examinations or the qualifications of examiners. There has been some increase also in the strength of the Academic Council, and I am glad that the Academic Council which, I believe, is the finest creation of the earlier Acts, is growing stronger and its position is being recognized in this Bill. I only wish, Mr. President, that it had been possible for us to provide for an optional honorary vice-chancellor, but that is not yet to be. I hope that the time will come when it will be possible for us to realize that there may be men who by their attainments, by their services to education, and by their past connexion with the university, may be amply qualified to be vice-chancellors and yet may not agree to be paid vice-chancellors.

"So far as this vexed question of Madras versus mufassal is concerned, I believe, no longer will the desire for a new university, namely, the Tamil University, hamper the smooth progress of the Madras University. I do not know if all hon. Members have read—I am sure several of them have read—the speech of the Governor in reply to the deputation that waited on him at Trichinopoly, the other day when he said—I now believe with the concurrence of the Minister after the answer he gave me yesterday in regard to the answers of Governors to such deputations—that now that funds have been found for the Annamalai University, there is no immediate prospect of the Government finding funds for a Tamil University. As such, therefore, I believe, Mr. President, that the Madras University will have to continue for some time, both as a teaching and as an affiliating university. From the ideal point of view, it is by no means satisfactory. I am one of those who believe that if you want a teaching and a residential university you must have it in its proper form, as for example in Chidambaram, before we can expect any good results from it. The fact that Madras is both a teaching and an affiliating university is due to historical causes. Indeed it has been an affiliating university from its very inception and it is only slowly becoming a teaching university. That has got to continue and we must see to it that no inconsistency arises which may hamper its functions. I am one of those who believe that all honours and post-graduate work should be concentrated in Madras hereafter at least, if possible, just as we have provided in the case of the Andhra University that all higher and post-graduate work should be concentrated at Vizagapatam. Whatever history may impose upon us by way of obligation in recognizing the existing colleges, which we cannot destroy or modify, I do trust that the university policy in the future, in Madras also, will be to carry out what we have resolved, namely, that all higher and post-graduate, research and other such work shall be concentrated in Madras. So far as the future is concerned, my hon. Friends who are interested in the Andhra University will agree with me that those of us who are supposed to be Tamilians and therefore cannot enter into the spirit of the Andhra University, propose to do by the Madras University exactly what we have done by the Andhra University. We do not want any centres. My hon. Friend from East Godavari interrupted me. The word 'centre' is used in the Madras University Act in a sense entirely different from the sense in which it is used in the Andhra University Act. Therefore, there is no

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question of more centres or fewer centres. I believe that first-grade colleges may be anywhere and everywhere, so long as you have got an affiliating university only. I still believe, as I believed in the case of the Andhra University, that higher research work should be concentrated in one and only one place.

"Sir, differences of opinion are growing up as regards the place of the universities in modern life. What modern democracy naturally insists is the need for mass education, for elementary education, as it is called. I yield to none in my desire to see my country universally educated at least up to the elementary education stage, and at as early a date as possible. At the same time, I believe, that even for the spread of sound elementary education you want sound and well-financed universities which will send forth teachers who will be the centres of light and leading, from whom will radiate that knowledge which will help this country to come by her own. I trust, Sir, that the Madras University may count upon the increasing support of this Council in future when it starts its work under the provisions of this amending Bill."

The hon. Dr. P. SUBBARAYAN :—" Mr President, I crave your indulgence and that of the House for a few minutes only. As it is we have taken almost a whole day with regard to this Bill. Hon. Members opposite talk of this legislation being done in a hasty manner, but they have to remember that this Bill was introduced as long ago as August 1927 and it has taken nearly eighteen months for even moving that this measure be passed into law. I am sure they will admit that there has been no hastening in any manner whatever. Of course, I know there has been a certain amount of feeling with regard to the drafting of the amendments that were proposed at the third reading stage, but the way in which we carried amendments in the second reading made it incumbent that such amendments should be introduced in the third reading stage in order to bring the Bill into a proper order. That is my only excuse for having such a number of drafting amendments and for this I am obliged to the Law (Drafting) Under Secretary, Mr Govindan Nayar, to whom I must pay my thanks in this House for the able way in which he drafted these amendments, considering time that was available to him. I must also, in this connexion, thank Mr. Statham who was largely responsible for the drafting of the Bill as it was introduced into this Council and also Dr. Meston, Mr. Smith and Mr. Corley for the help they have given in all stages of this Bill. The two underlying principles of the Bill, as it was introduced, were whether the number of members to the Senate and the other bodies could not be reduced. That was not found possible because of the various conflicting elements that wanted representation on the Senate. The second point, as I explained already, was that we should get rid of the Council of Affiliated Colleges. Mr. Saldanha said that I wanted injure to the mufassal colleges. I can tell him that was far from my mind. If he had read the Statement of Objects and Reasons he might not have made that statement, but I am getting accustomed to such statements from Mr. Saldanha and he makes such statements without any regard to the book at all. The other point which my hon. Friend, the Member for the University, has referred to is that certain conflicts had arisen in the matter of a jurisdiction between the various bodies and that had to be remedied. My hon. Friend, the Member for the University, referred to his Bill and I admit that Bill also was useful to the Select Committee in some points, and as he himself admitted,

some of his amendments have also been incorporated into this Bill. But, the main point under consideration was that there were difficulties in this working of this Act and that it had to be corrected, so that there will not be conflicts between authorities and authorities and that has been done by this Bill. That was the main purpose of my Bill. No doubt, the hon. Member for the University also referred to some of the points which arose as to the conflict between the various authorities, but I am sure he will himself admit that the Bill introduced by the Government dealt with this more elaborately than his did. I am obliged to the Members of this Council for the help they have given in the passing of this legislation. I know there have been heated debates in the matter especially of introducing some amendments which they thought were dear to their hearts. Far be it from me to say that I am opposed to any Indian system of education or culture. What I felt was that as the Act stood, it was unnecessary for such amendments, but as the hon. Member for the University has stated, the way in which discussion has taken place on this Bill will bring home to the authorities of the university the feeling in the Legislative Council with regard to the teaching of Indian History and Indian Systems of Medicine, which I am sure, the university authorities, experienced as they are with public opinion in this country, will try and do their best to incorporate into the system of education which they are imparting to-day. I know hon. Members think that the Ministry has not done enough in the way of legislation, but if they had sat for three days as they have done with regard to these two University Bills, I am sure hon. Members will realize the difficulties of a Member of Government with regard to the passing of legislation. I do not complain about the Opposition in the way in which they practiced obstruction, because it is a matter for them, and I think it is also one of the well-understood Parliament tary principles by which if they want to obstruct they have a right to do so. I have no complaint to make in that connexion.

" Mr. President, I also wish to express my thanks to you, Sir, personally for the difficulty you had in putting the various amendments in regard to this measure in the Council."

The hon. the PRESIDENT :—" I hope the hon. Minister will take care not to give the same trouble in future Bills."

The hon. Dr. P. SUBBARAYAN :—" That is why I am thanking you so that if I give some trouble you may not think it too much of a trouble. With these few words, I move that this Bill be passed into law."

The hon. Mr. M. R. SETURATNAM AYYAR :—" I second it, Sir."

The motion was put to the House and carried and the Bill was passed into law.

V

THE MADRAS SERVICES COMMISSION BILL, 1929.

* The hon. the PRESIDENT :—" I think it will be more convenient to the House to have the motion split up into three parts : one is that the Bill be referred to a Select Committee. Then there is another motion by Mr. Karant and C. S. Govindaraja Mudaliyar to suspend the standing order. This will be taken as the second part, whether the standing order is to be suspended or not. When once the suspension of the standing order or retention of it is agreed to, the names of the members of the Select Committee may be taken up. So we shall have to put three distinct propositions."

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This suggestion was agreed to by the House.

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, I introduce the Madras Service Commission Bill [a] (i.e.), Bill No. 5 of 1929, and move that the Bill be referred to a select committee. In doing so, Sir, I would wish briefly to state the scope and nature of this measure. It is really quite a simple matter if the rules and the law under which it is proposed are understood. Under section 96-B (2) of the Government of India Act, the Secretary of State in Council may make rules for regulating the classification of the civil services in India, the methods of their recruitment, their conditions of service, pay and allowances, and discipline and conduct. Under the same section, he may also delegate these powers. Rules have been issued accordingly classifying the civil services in India into four categories: the all-India Services, the Provincial services, the subordinate services and officers holding special posts. As regards delegation, the Secretary of State has delegated the power to make rules regarding the method of recruitment to the Provincial civil service, subordinate services, special posts, to the local Governments of Governors' provinces.

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" That is to say, the Local Government separately has powers to regulate the recruitment of Provincial services, subordinate services and special posts and we are not concerned in any way with the all-India services. This Bill therefore is not intended to regulate the conditions of recruitment or qualifications but merely to set up an agency to advise the Government in the selection of the personnel. That is its main object. The rules for regulating the method of recruitment will, of course, vary with regard to each service and they will be made separately under the separate authority of the Secretary of State rules. The reasons that make it necessary to set up a Services Commission are two-fold. In the first place, the rules that give the Local Government the power to regulate the method of recruitment say that the previous sanction of the Governor-General in Council should be required to making the first appointments to the Provincial service otherwise than as a result of competitive examination or on the advice of a permanent Board of Selection appointed by the Local Government, or of the Central Public Services Commission. Now therefore if the Local Government makes any statutory rules regarding the method of recruitment to any provincial service otherwise than by competitive examination, every appointment would require the sanction of the Governor-General in Council unless we set up a permanent Board of Selection on whose advice the Local Government should act. That is one object of this Bill, as it sets up such a Board. It might be contended that such a Board might be set up by mere executive orders. But then comes in the second consideration that having regard to the necessity for maintaining the purity of the administration, it would be advisable that this Board, once set up, should be as independent as possible both of the Government on the one hand, and of political influences on the other. And if you will briefly refer to the clauses of the Bill, you will see how they are intended to carry out the purposes that I have indicated. The first set of clauses as regards the constitution of the Commission—I do not propose to go into details—is aimed at placing that body as far as possible beyond the influences either of the Government or of political interests once it is appointed. The second set of clauses which deal with its functions lays down that they

[a] Published in the *Fort St. George Gazette*, dated 22nd January 1929.

should do to carry out the method of recruitment that has been laid down by the Local Government under the powers which they independently possess. For instance, where competitive examination has been laid down by the Local Government as a method of recruitment, they should proceed in a certain manner; and where recruitment from a provincial or subordinate service has been laid down by the Local Government as the method of recruitment, they should proceed in a certain other manner therein indicated. It will not be for the Commission to lay down the conditions of recruitment. That is the duty of the Local Government and that duty it cannot delegate to any other authority if it is to function as a Government at all. Lastly, there are some minor points in regard to examinations for those already in service and for probationers. For people already in the services you are familiar with the present examinations. It is proposed to utilize the Commission to undertake the duty of conducting these examinations. In regard to disciplinary cases, it is proposed to give the Commission advisory functions. I do not know whether anybody has in any way misunderstood the concluding clause of the Bill which provides the rule-making powers. That has nothing to do with regard to the making of the rules as regards methods of recruitment or any rules of that nature, because that is a separate power given to the Local Government by the Statutory Rules made under the Government of India Act. The rules contemplated by the Bill are merely rules of procedure as regards the working of the Commission. If there is any doubt in the phraseology, that of course can be made clear by suitable amendments in the select committee. I do not wish, Sir, to expatiate upon the necessity for the placing of patronage in the hands of an independent body. I think all parties in the House have at one time or another urged that something to this end should be done."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I beg to second it."

* Mr. S. SATYAMURTI:—"I beg to move that the Bill be circulated. That is, under the Standing Orders, Sir, the normal way of proceeding when the House wants further consideration of this Bill both for the purpose of enabling it to make up its own mind as also for the purpose of enabling the Government and all sections of the House to sound public opinion on this matter. I am anxious, Sir, that our attitude should not be misunderstood in this matter. We yield to none in any part of the House in our anxiety and earnest desire for the early constitution of a proper Public Services Commission which, to use the words of my hon. Friend, the Revenue Member, will be independent of the Local Government and of political influences, and will distribute patronage with a sole eye to the benefit of the people and of the Government. Therefore we are anxious that a proper services Commission should be set up and set up as early as possible. But, Sir, I make this motion because we believe that although technically this motion of my hon. Friend is in time, it is only *technically* in time. I think I am not wrong in pointing out to this House that this Bill was for the first time published only in the last week's *Fort St. George Gazette* and I believe many hon. Members from the mufassal may have seen it only after they came to Madras. And in any case I do not think the provisions of the Bill have been long enough before the public to justify the feeling that there has been sufficient discussion of this matter. And there should be some more time given to the public and to this House also to make up its mind on this matter. So far as the sentiments given expression to by

the hon. the Revenue Member are concerned, they are wholly unexceptionable. But, Sir, as usual with such performances—I do not mean him personally—on behalf of any Government when we begin to test them in the cold light of the actual sections, we find that they fall very short of the ideal set out by him or by the Government. Section 96-B (2) of the Government of India Act to which reference has been made provides *inter alia* that the Secretary of State may delegate all these important functions not only to local Governments, but also to the local legislatures. It is perfectly open to the Secretary of State to say that the local Legislative Council of Madras shall make all rules relating to the classification of services, to recruitment, and to all other incidental matters governing public service. I, of course, except the all-India services because no Provincial Council can deal with such all-India services. But there are three other important classes of service, Provincial and subordinate services and special posts, in respect of which the local Legislative Council may make rules. I do not see why the Secretary of State should have exercised his powers in this section in the manner stated. Of course, I do not hold the Local Government responsible for it, but I suggest for the consideration of this House that it is perfectly possible for the Secretary of State not merely to authorize the Local Government to appoint the Public Services Commission but also to authorize the local Legislative Council to make all the necessary rules. The hon. the Revenue Member frankly stated—he will correct me if I misheard or misunderstood him—that this Bill is not intended to affect recruitment in a direct manner. That is intended for the Government to make rules about. It is the Government of Madras which makes rules under the power delegated to it by the Secretary of State, as it is the Government of a Governor's province. They may make these rules and this Commission comes in merely as an extra body to carry out these proposals. Therefore, am I wrong in suggesting that this Public Services Commission is intended merely to be a machinery to advise the Government with regard to the working of the rules made by the Madras Government itself? The hon. the Revenue Member gave two reasons. The first was that the power of recruitment to appointments has been restricted by rules made under this section to be subject to the previous sanction of the Governor-General in Council except in two cases, namely, where the appointment is made as a result of a competitive examination or on the recommendation of a statutorily constituted public body. Therefore, my hon. Friend suggests that in order to eliminate the need for the previous approval of the Government of India, this Government will have to resort to a Public Services Commission which will make appointments. This, I submit, I use it in the usual legal sense, is a fraud on their power, because according to the whole scheme of the rules of the Government of India appointments in the first instance should be made eliminating the personal or, shall I say, the patronage element altogether, and it should work mechanically, as if it were a result of a competitive examination in which no personal influence or patronage of course counts, or it should be a recommendation of the Public Services Commission which taken in its context *ex hypothesi* means a Commission independent of the Local Government and uninfluenced by the wishes of the local Government, either in regard to a particular appointment or in regard to the general class of appointments. Both these conditions, Mr. Chairman, are absent in this clause. First of all, the Commission is not an independent body—I want hon. Members to attach some importance to it. The Public Services Commission contemplated under section 96-C of the Government of India Act is

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appointed by the Secretary of State in Council, and their tenure is subject to his will and pleasure, whereas the Public Services Commission of Madras is going to be a creature of my hon. Friend, the Revenue Member, that is the Government of Madras. They would not be appointed by an authority superior to or even different from the Government of Madras. Therefore, to say that it is an independent body is certainly playing with words, if I may say so respectfully.

"Secondly, Mr. Chairman, the rule itself, if it is understood in its proper context, contemplates a Public Services Commission or a public statutory body which will work more or less automatically as a competitive examination. But here it is conceded that it is not the business of this Commission to regulate recruitment or make rules for the same; they are merely to carry out rules made by the Government, so that they are creatures of the Madras Government and they are to obey the creator's rules in their actual functioning. Therefore what amount of freedom they will have in making appointments under this ruling is best left to the imagination of my hon. Friend, the Revenue Member. Whenever hereafter we put questions as regards appointments, they will say 'this is the recommendation of the Public Services Commission.' This is a smoke screen for them to hide all their patronage, the injudicious distribution of patronage, and will introduce the well-known spoils system of other countries which has been condemned and out of which they are slowly getting away. The phrase 'Public Services Commission' covers a multitude of sins, and I ask my hon. Friends to examine this picture a little more closely. This Public Services Commission is a commission merely in name. It is going to be appointed by the Government of Madras; it should be anxious to secure the approval of the Government of Madras. Already—I do not want to go into names—I know there are men who are anxiously making preparations for appointment to this Commission. I know two or three names are being rumoured about all over Madras, and people know exactly who are going to be appointed as Chairman and the two members. I ask this House, in all seriousness, whether this is a condition under which we can honestly say that we are conforming to the spirit of the rule, if not to the letter of it. You cannot conform to the spirit of the rule which wants that you must have the previous sanction of the Government of India before you make appointments either by competitive examination or a properly constituted Public Services Commission.

"My hon. Friend, the Revenue Member, used a phrase with which I entirely agree, viz., the necessity for maintaining purity in the administration of a commission independent of the Government and of political influence. My suggestion is that this Commission as it is proposed to be constituted does not bring about either of these results.

"Then, Sir, my hon. Friend said—I believe I heard him correctly—that no Government can delegate to a commission the power of framing rules with regard to the recruitment, and that only the Government can do it if it is to function at all. I venture to question the soundness of that position. I can understand the Local Government saying that they cannot give up all discretion in the matter of appointments; I can understand their saying that the Public Services Commission can only recommend a panel of qualified men from whom they have got to select; but when the Local Government

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go so far as to say 'we alone must appoint, not only appoint but also make the rules for the appointments and no other body can be given that power', I ask, in all humility, where is the authority which says that Government cannot delegate the power to frame rules in regard to recruitment for services? Indeed, the Government of India Act contemplates that these rules may be made by this House. This House is not the Government of Madras. Why should not therefore the power to make the rules be delegated to the Commission itself? Therefore, I venture to submit to this House that the whole scheme of the Act is intended to remove the previous sanction of the Government of India for appointments and to vest in a statutory creature of the Madras Government the so-called power to advise according to rules made by the creator, which advice the creator may either accept or reject or accept with qualifications. These are the three limitations of the Public Services Commission—appointment by the Local Government, having to carry out the rules made by the Local Government, and the recommendations of that body not binding upon the Local Government.

"So far as the actual clauses of the Bill are concerned, my hon. Friend, the Revenue Member, just skipped through them. I want to invite the attention of the House to a few clauses to show exactly what this Bill stands for. Section 4 of the Bill says: 'The Chairman and the other members of the Commission shall be appointed and may be removed from office by the Governor in Council.' I am sorry I did not sufficiently stress the significance of the word 'removed'. They are not only creatures, but creatures whose life is dependent on the will of the creator. Normally a creature lives until it chooses to kill itself, or suffers organic disease to take possession of it and kill it. But here the unfortunate creature cannot live even for a minute except by the continual sweet will and pleasure of the creator. So, the moment the chairman or a member makes one single mistake according to the Government, notice to quit will be given. What is the unfortunate Commission to do? They are first of all appointed by these gentlemen and they hold office at the sweet will and pleasure of the distinguished Members of the Treasury Bench. But then there is one great saving grace, i.e., 'No order of removal shall be made without the personal concurrence of the Governor of Madras.' This 'Governor of Madras' is one of those institutions which are above this House; so whatever it does, even if we ask a question as to what advice was tendered to the Governor in regard to a certain appointment, it is all 'confidential.' This is a stereotyped answer which we have all learnt to expect from the Treasury Benches. Therefore, what will happen is the unfortunate Governor of Madras will be used by these people to dismiss these men, and then when we ask questions the reply will come 'It is in Governor's discretion, you cannot ask.' The result is the three unfortunate men will live, move and have their being at the sweet will and pleasure of the Treasury Bench. I ask in all seriousness, is it pretended for one moment by any member who takes things seriously and who has any experience of public work that these three men—I know there may be and there are exceptions—are really going to be independent of this Government?

"Then, Sir, we have the functions of this great Commission which, as my hon. Friend the Leader (Mr. Venkatapati Raju) reminds me, are only advisory. That again makes this Commission really impotent. Let us take these sections: Section 9 says: 'The Commission shall advise the Local

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Government on any question which the Local Government may refer to it in connexion with the recruitment to any provincial or subordinate service or special post'. That is merely advice. Then section 10 says: 'Where any competitive examination is to be held in India for the purpose of recruitment to any provincial or subordinate service or special post, the Commission shall (i) advise the Local Government in regard to the regulations prescribing (*a*) the qualifications of candidates, (*b*) the conditions of admission to the examination, and (*c*) the syllabus of the examination; (ii) announce the number of vacancies to be filled from among the candidates for the examination; (iii) make all arrangements for the actual conduct of the examination; (iv) arrange the candidates in order of merit on the results of the examination; and (v) forward a list of the candidates so arranged to the Local Government.'

"What happens to the list? Is it to be accepted? Nothing is said about it. They may upset the whole order of merit and choose other men. Then section 11 says: 'Where recruitment to any provincial or subordinate service or special post is to be made by selection' etc., the Commission shall advise the Local Government in regard to the regulations prescribing the qualifications, announce the number of vacancies and submit to the Local Government a list of such number as the Local Government may fix of the candidates whom the Commission considers most suitable for appointment arranged in the order of preference.' They have got only to make the suggestions.

"Then there is recruitment by promotion. 'Where recruitment . . . is to be made by promotion from a subordinate service, the Commission is again to advise after considering the claims of candidates and arrange the candidates in the order of preference." Besides all this, there is section 13, which says: 'In the exercise of its functions under sections 10, 11 and 12, the Commission shall observe the rules, if any, made by the Local Government regarding the constitution of or recruitment to', etc. The words 'if any' there are significant. As the *Hindu* in its leading article pointed out the other day, it is an anomaly which the Madras Government is responsible for as contrasted with the Government of India. The Government of India have made elaborate rules with regard to recruitment, with regard to competitive examination, with regard to redressing communal injustices in recruitment and various other matters. Having made these rules, they have also made rules for constituting a Public Services Commission under section 96 (*c*) of the Act. The result is, the Government, the people and the services all know exactly what are the rules under which this Commission is functioning, and therefore it works much better than the Commission in regard to which we have no information, save some scrappy rules made now and then by the Government. If there are no rules, and if they are to function merely as advising the Local Government, then it is only a body to register the decrees of the Executive Government of the province.

"Similarly, with regard to appeals and memorials also, the Local Government merely asks them to advise on all matters and the opinion of the Commission is intended to be communicated to the officer or officers concerned. That is the only difference. And even the authorities lower in status than the Local Government, like heads of departments who have got to deal with censure and withholding of promotion and increments and so on, will treat the recommendations of this body only as mere advice and are not bound by it in any manner at all. And the whole scheme of the Bill is merely to

deal with the constitution and recruitment of public services. I take it, Mr. Chairman, that all the other matters contemplated in section 96 (c) of the Act conditions of service, pay and allowances, and discipline will stand removed, entirely from the jurisdiction of this Commission, except by way of advice, and will be dealt with by the Local Government as in the past. Incidentally I may mention that sections 5, 6 and 7 provide for salaries to the Chairman and the two members on scales of Rs. 3.000 for the Chairman, and Rs. 2,000 for each of the other Members. Besides this, there is the Secretary on a salary not exceeding Rs. 1,500 and they can incur expenses up to Rs. 1,000 per mensem for all other expenditure connected with this.

"No doubt, considering the high salaries prevalent in this country, these salaries may seem fairly reasonable. But I think, Mr. Chairman, the time has come for the Legislatures of India when salaries are sought to be provided by their vote to apply their pruning knife. We must remember that we are legislating for one of the poorest countries in the world, if not the poorest; and I do not think that in this country of ours anybody can or need be paid more than Rs. 1,000. We cannot compare other countries where they may be paying higher salaries for similar or higher offices. It seems to me that it is another matter that has to be taken into consideration. and people have got to be educated on this matter also. No doubt, I am for making salaries of Chairman and commissioners, if they are appointed, independent of the vote of this House, but I do not see why the salaries of secretaries and clerks should be put outside the vote of this House as this Bill seeks to do. 1 p.m.

"If really the object of this Bill is so limited, I wonder why this Council should be asked to legislate on this matter at all; for, after all, recruitment is the most important function and in all well-recognized Governments the further stages of the Civil Service must work more or less automatically subject to punishment being awarded for inefficiency and dishonesty and reward being given to honest and efficient men, and, if this is to be kept out of the scope of the Public Services Commission, I should like to know exactly why this Bill at all in this truncated form should be placed before this House. In any case, my main ground for the Bill being circulated and adjourned is that we must know exactly the nature and the scope of the rules which the Madras Government have made or propose to make with regard to these important matters, especially recruitment, and the conditions of public service, and so on and so forth. Otherwise, we are merely voting for a skeleton without flesh and blood, and are merely appointing a Commission which is called upon to administer rules of which we have no knowledge except in a very scrappy manner and whose scope we cannot judge. I really do not see why the Government should not publish the rules or take a little more time to publish them so that we may know on what lines this Commission is going to function. Then, we shall know exactly the reasons as to why this Commission should have its salaries independent of the vote of this Council.

"Take, for example, the whole question of recruitment. Mr. Chairman, it is dealt with in sections 10, 11 and 12. I know there has been a great deal of agitation especially in this Province about recruitment. I have no desire to go into the vexed question of communal representation in the public services of this Province. That has been gone into *ad naseum*, and I believe we have reached some kind of arrangement by which the predominance of a single community in the public services will be avoided and equal opportunities

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subject to minimum standards of efficiency will be offered to all the communities of this Province. But then, Sir, when once you have laid down that dictum, there is scope, internal scope for so manipulating this formula as to make it nugatory and make it more a question of patronage. The recent instance which came before this House but was not disposed of was the motion regarding the promotion of subordinates in the Registration department. Even after the Public Services Commission is appointed such Government orders can be passed and rules made, and this Commission will have merely to carry out the *ipse dixits* of the executive. Then I ask why should we throw good money after bad in instituting this Commission? If Government are determined to have their own way and if the House is willing to give its support, I do not see why we should have this Commission. My own feeling is that Government must lay down certain principles as have been laid down by the Government of India in the form of rules. There is no doubt whatever that a particular community here or a particular community there may feel hurt, that a particular member of the community does not get the job every time such appointment is going to be made, and if each time the Government are going to alter the rules, in order that there might be a proper representation of the various communities in the Province, there will be no discipline, no efficiency, in the services. By all means let us face the communal problem, squarely and boldly. Let us lay down the rules and let those rules work automatically, no matter whichever community benefits or does not benefit at a particular time or when a particular vacancy arises. My complaint is that, without framing the rules properly, if you will merely appoint a Commission, it will give more room for communal bickerings and more than that, question of patronage and privilege will come into play very largely. So, I would ask the hon. the Revenue Member to consider this matter carefully, and see whether he cannot follow the rules now being worked by the Public Services Commission at Delhi on the lines laid down by Sir Alexander-Muddiman, when he was Home Member in the Government of India. This is what he said then:

'Now from the foregoing remarks it will be seen that I am not in any way hostile to the resolution which he has moved, but obviously in the form in which it stands it is a resolution which Government cannot possibly accept. I admit and Government have accepted before that there should be an adequate representation of minority communities. But we must qualify that by the fact that we cannot impair the efficiency of our public services by admitting persons who are not qualified to perform the duties which they are called upon to perform. That is a proposition which cannot be refuted. It gives me pleasure, however, to be able to inform the House that we do contemplate as regards the All-India services an extension of the present arrangements for securing representation for minority communities. We promise as I have said a consideration that I must continually emphasise that there must be an adequate qualification. No minority community can hope for or ought to hope for appointment to public service unless adequately qualified to render that public service. That is absolutely essential. I find the Indian Civil Service as a service where inequalities have possibly been more obvious than in other services. At present we reserve one-third of the vacancies in that service which will be filled by direct recruitment in India to redress these inequalities. We propose in the future to reserve one-third of the whole of the direct Indian recruitment. We shall, as in the past in exercising this power of appointment first observe the results of the competitive examination. If those results are satisfactory we shall be in no difficulty. If they are unsatisfactory we shall then resort to the process of nomination. We shall nominate as far as possible to the vacancies which we hold in reserve by selection from among the candidates who sat for the competitive examination and attained the adequate standard. If there are no such candidates we may have to adopt other means of obtaining them. If we cannot obtain candidates with adequate qualifications we shall not appoint them.'

"I believe that we must lay down some such principle. More or less, the same principle was laid down by Sir Malcolm Hailey earlier who was the then

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Home Member of the Government of India who wanted to prevent any one community or representatives of one province being treated better than others. Therefore, it is not impossible to lay down certain principles which we shall be able to translate into practice and not from time to time depend upon the whims and caprices of a Member of the Government in whose patronage a particular appointment lies.

"I should also in this connexion bring to the notice of the House the statement made by a man who cannot be said to hold any brief for any one community in this province, I mean Bishop Waller when he presided over the Madras Non-Gazetted Officers Conference, held towards the end of last year. This is what he says:

'The non-gazetted service was very popular in the land. For if one vacancy arose to-day there was a rush of hundreds of men for the place, each urging the claims of his poverty or the community to which he belonged whether a Brahman who was now the depressed class or an Adi-Dravida who was officially the depressed class. Communal representation as they urged might work among the candidates who were recruited but let it not work inside the services. It was only the Government which was compelled to recruit people that belonged to this or that community. In their own houses of businesses they would never think of doing it. They would recruit the person who knew his job. They (the Association) were perfectly right and it was sound to say that communal representation should not operate inside the services as the credit of the service demanded that the man with the best merit should be given the best job. There was no sense in saying that one should be passed over because it was the turn of some other community. It represented a disability under which the whole service would be suffering that promotion should go not by merit but by community. It would depress the members of the whole service. The following might be a proper slogan to be adopted "Communal considerations in recruitment: after recruitment promotion by merit".'

"I am mentioning this because, even after the Public Services Commission is appointed, these things may happen. If the Government without framing and publishing the rules were to ask us to give our seal of approval to this Bill, it will merely mean that the Commission will have to register the decrees of the Executive Government. I refer to another authority, Mr. Barker, the President of the Public Services Commission, who in presiding at the Convocation of the Patna University spoke as follows:

'I am on the side of Solomon. For merely every function in life even the most undistinguished, I prefer an educated to an uneducated man; and if the heresy to which I have referred were well founded it would involve a negation of everything for which the University of Patna and the universities of India stand. The vast sums which have been lavished out of the scanty resources of the Government and the smaller sums which have been lavished out of the vast resources of individuals would indeed have been ill spent if the universities of India were unsuccessful in producing the best candidates for public services. To those too who maintain that in the choice of public servants no importance should be attached to academic brilliance but to some lower standard of academic attainment, requiring great perseverance, hard work and self-denial, I will only say that no crueller wrong could be done to the youth of India than to encourage them to come in their thousands to Indian Universities and then dispute their entry to the public services. I stand therefore before you as an unabashed advocate of the system of competitive examination for the purpose of manning the public service of this country. I am under no illusions about competitive examinations and can be under no illusions, possessing as I do an inside knowledge of them. In this world we can only aim at the best; we cannot hope to attain perfection, and in spite of all its defects, I am of opinion that for India as it is the system of competitive examinations is the best and any other system is as a general rule not only not the best or even the second best but definitely bad.'

"It may be necessary under the present conditions to restrict the scope of competitive examinations in order to redress wrongs felt by communities. I have nothing to say against that, as a politician interested in the solidarity of this country. I do not want the small bickerings for the loaves and fishes of office to exist. But there should be 'a method in the madness'. It should not be left to the individual decision of the hon. Revenue Member or the Home Member or the Minister. Rules should be laid down stating for

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example that two-thirds should be reserved for open competition and the remaining one-third for nomination to redress inequalities among the various communities on some basis or other, which would work automatically, irrespective of the personality of the presiding officer in the Commission.

"If this Commission is not going to be made much more independent of the Local Government than it is proposed to be and if rules are not going to be made to regulate these things automatically, I dread to think of the consequences of the establishment of the Commission on this House and its successors. I believe there is a provision in this Bill which disqualifies certain people from being members of this Commission. I do not believe there is any section which says that Members of the Legislative Council shall not be appointed to be members of this Commission. I do not see it here. I believe Government will not commit the crowning wrong of offering Members of this hon. House jobs on this Commission. I hope also that every Member of this House will decline it if offered. We have a right to sit in judgment over the doings of this Commission and the doings of the Government. It will be a sad travesty of our duties and obligations *vis a vis* the Government, and the Commission, if Members of this House are going to be offered seats on this Commission. If however we are not going to keep out of this House the patronage activities of this Commission and the Government, we shall never be able to build up what has been achieved in other countries and particularly in England where we find that the fights between the two front benches are carried on almost always on public questions and not on personal question of patronage. Lawrence Lowell, a great authority on such matters, says—

'The House is engaged in almost ceaseless battles between the two front benches with the ranks of their followers marshalled behind them; and the battles are over public matters. Questions affecting private, personal or local interests occupy a relatively small share of the attention of the Member of Parliament. He is primarily the representative of a national party elected to support or oppose the Cabinet, rather than the delegate of a district sent to watch over the interests of his constituents, and push the claims of influential electors. The defence, said to have been triumphantly made elsewhere, by a member accused of absence from important divisions, that he had procured more favours for his constituency than any other representative, could not be pleaded as an excuse in England. Hence the ministry is not compelled to enlist personal support either in the legislature or at the polls, by an appeal to private gratitude. It can afford to turn a deaf ear to solicitations for patronage, and stand upon its public policy alone. In short, the enormous strength of party, in the legitimate sense of a body of men combined for a common public object, has enabled the Government to do what it could not have done so easily had party required the support of artificial props.'

"I do not want to compare this House with any other House; for I have too much respect for this House to do so. I would ask every hon. Member to ask himself whether we have reached that standard by which we discharge our duties with a sole eye to the public good of this province and without thinking of the personal considerations either for ourselves or to our constituency or to our supporters. If things are not as ideal already as they ought to be, I ask where we would be if we add to our difficulties, the difficulty of influencing the distribution of patronage. Our position will become intolerable. We, in the Opposition, may be wiped out, if really the Government in this country is going to be carried on on the basis of distribution of patronage. If Government are going to perpetuate these difficulties by distributing jobs by walking behind a stalking horse called the Public Service Commission, I am afraid party Government as it is developed in other countries will become almost impossible in this country. More than that, I feel that so far as the future of this country is concerned, we must

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take very great care that the troubles which other countries had to go through on account of the spoils system, to use a compendious phrase, do not overtake us. We should do something early enough, to see that we do not allow our judgment to be influenced by benefits which may accrue to our party by getting the patronage in our hands.

"In other countries like America this problem assumed very ugly proportions and they are now engaged in a very earnest attempt to reform their civil service. A great writer says—

'Under existing conditions the possibility of a complete civil service reform, as generally understood, depends on whether our parties can be convinced that they can exist without their present elaborate organizations, or can maintain these organizations without the coercive power of the public offices. If the organizations are maintained, reform is impossible, unless a substitute is found for the spoils system. If the substitute be money, the change is a bad one; if it be argument and the devotion of earnest men, is good. . .'

I hope it will be given to this country to establish party Government on sound lines, to build our parties not by distribution of patronage, but by the good and earnest work of the people for the country.

"From the point of view of the officials themselves, there is a great deal to be said for the feeling that they ought to be independent of political influences. In this House, as in the Legislatures of India, there is a body of permanent officials with whom I sympathise. They have neither ears nor eyes nor mouths except those of their political chiefs. If they say that they must vote against two and two being four, the permanent officials should do it; otherwise the convention is supposed to be broken. If officials are to be appointed to this Council at all, I suggest that they should be given freedom to vote as they like. Or a better method of saving their time will be to evaluate the votes of these members on the Treasury Bench and say that the vote of the hon. the Home Member is equal to four votes and the vote of the hon. Minister is equal to four votes and so on. Let these tired men go to their chambers and do their work. For it really does not matter very much. They very rarely speak and they never vote against their chiefs. Let us therefore establish a convention that when the Home Member rises he is supposed to have cast four votes. Why should we have permanent officials here who cannot express their opinions? I do not say they agree with us; sometimes they may, sometimes they may not. We have no means of knowing whether they agree or not with us. The public services of this country ought to become perfect and independent of political influences before we can make Swaraj, which I hope we shall soon win, a real democratic Swaraj. We cannot really govern this country properly for the permanent good of the vast masses of this country unless we have an incorruptible, efficient and independent public service. I attach great importance to it and the officials must cease to become politicians and must learn to carry out the orders of the Ministers whether they be a cursed 'Swarajists' or blessed 'constitutionalists.' It does not matter who guides them, so long as their official careers are not made dependent upon the favours of their political chief. The promotion and prospects should not be made to depend on the whims and caprices of the temporary occupants of the Treasury Benches. I am anxious that in all matters of recruitment, promotion and disciplinary action there ought to be a non-political body independent of the Government of the day and anxious, competent, and willing to do justice by the people who belong to the services and anxious to preserve the integrity of the services. If to-day, among

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other reasons, the Government of Great Britain is on the whole efficient, it is not a little due to the status of the permanent service. Ministers come and Ministers go, but the permanent service goes on for ever. That cannot be achieved in this country unless you make the public services absolutely independent of the personality of the Treasury Bench.

"I have advanced these arguments to plead that the second reading of this Bill should stand adjourned until we know very definitely and exactly what the Government propose to do with this Commission. As the *Hindu* has put it neatly in its issue of the 24th January.

"It seems to us therefore, that before the Madras Government proceed to enact the Madras Public Services Commission Bill, they should accept and lay down by rules, the above principles, the principles enunciated in the speeches of Sir Malcolm Hailey in the Assembly, of Sir Alexander Muddiman in the Council of State,' supplemented if I may say so, by the principles laid down by Bishop Waller in his address to the Madras Non-gazetted Officers' Association, and by Mr. Barker in his convocation address to the University of Patna. It is only by this means that the function entrusted to the Commission will be justly and satisfactorily discharged. Otherwise, as the *Hindu* continues to point out, 'The Commission will simply constitute an additional set of officials for perpetuating the present unsatisfactory system of recruitments and promotions in the provincial and subordinate services in Madras.'

"I attach a great deal of importance to this question of promotion. I speak under the well-known disability of being a Brahman, but I claim we can rise above prejudices which are supposed to belong to our community. I do suggest that in the interests of efficient Government of this country, in the interests of the masses of this country, whose names we constantly invoke and often abuse, the permanent interests of this country demand that once a man is recruited to the public service he ought not to labour under the apprehension of being differentiated for belonging to a particular community."

The hon. the PRESIDENT :—"The hon. Member may continue his speech after lunch."

After Lunch (2-30 p.m.).

Mr. S. SATYAMURTI :—"Sir, I was saying, when we adjourned for lunch, that whatever may be the rules which may be made or which may have been made with regard to what I may call initial recruitment, once a man enters public service his future should be wholly in his hands. If he is honest, efficient, and zealous in the discharge of his duties, the highest rewards of that service ought to be open to him irrespective of the caste of himself or of his parents. Similarly if a man is not up to the mark, and does not conform to the highest standards of efficiency, honesty and integrity in the service, neither the caste of himself or of his parents should screen him from the punishment or denial of promotion which must be his due, because of his own want of character and qualifications. I am sure, Mr. President, that every hon. Member of the House will agree with me in laying down those principles. But the difficulty comes in when we seek to work those principles.

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"There are appointments and appointments and by a mere jugglery of words, promotions in the strictest sense of the word are translated into fresh appointments. Promotions to which people have learnt to look up, promotions for which they have been working have been converted, by a stroke of the pen, into fresh appointments and it has been asserted that out of one hundred and fifty good men, and true, who have spent the best part of their lives in the Government may be told that, 'for no fault of yours but for the accident of your being born to a particular class of parents you shall not get what you should otherwise get.' That seems to me to cut at the very root of the efficiency or honesty of Government service. Therefore it seems to me that the rules should make it perfectly clear that, excepting for special posts or special grades of posts which may be created or for which direct recruitment may be provided for either from outside the ranks of the service altogether or by *selection* from the lower grades, all rewards of high merit by way of normal promotion should be allowed to accrue to the lower service without any attempt at depriving of what is legitimately due to them. I am speaking, of course, of the recent Government Order in the Registration Department of this Government. I know that my opinion is not shared by some sections of this House. But I would appeal to them in all earnestness and humility to think not merely of the present but also of the future and remember that, according to that rotten principle, the most efficient non-Brahman, the most efficient Indian Christian, the most efficient Mussalman may be deprived of his just chance of promotion or appointment because of these circumstances.

"The gift of a sympathetic imagination is a rare one. I appeal to my hon. Friends of this House to attempt that task and place themselves in the position of a hardworking Government servant who, after fifteen or twenty years of loyal and efficient service, is told 'thus far and no further because you happen to be born of a certain class of parents.' It seems to me that it has simply to be stated for its absurdity to be exposed. At the same time the circumstances of this Province are such and the feeling that one community has, in the past to a large extent, occupied the public service is so strong that these arguments may fall on deaf years for some years to come. But I have no doubt in my own mind that, when the implications of the introduction of caste or communal principle in the grades of service begin to be realized by all Members of this House and others, they will agree with me that it is not right to interfere thus with the foundations of public service in this country. I am also anxious, Mr. President, as I was saying, that we should attempt to recruit our services from the best elements available and give them guarantee of their future and that we should be anxious to build up a public service in whose integrity and in whose impartiality the public can have ample confidence.

"I will read from a book, the 'Principle of Official Independence', by a man who knows what he is writing about. He refers to Canada. It is suggested that these difficulties which are a serious menace to Canadian national life can be partially solved by greater regard for official independence and all that it connotes. This and many dangers that have been enunciated serve to emphasise a real need for a better understanding of the principles underlying the conception of independence. It has been pointed out in the opening chapter that a modern democracy with a universal suffrage cannot work efficiently without the aid of the professional official. Therefore it seems

to me that, as we are looking forward more and more in this country for democratic swaraj and all that it connotes, we should see to it that the integrity of public service is amply protected. That is why I feel that the relevant rules should be published before this House can be reasonably asked to pronounce upon this Bill.

"The danger of rushing this Bill through at this stage without placing before the House all relevant rules on the matter cannot be better illustrated than by the case of Municipal Service Commissions in other countries. The ideals would be that these Civil Service Commissions should be non-political in character, that they should faithfully enforce the principles of merit, and that they should maintain continuity of employment policy. On the other hand, Mr. President, if, without taking proper care, we allow these commissions to be set up in the form in which they are now sought to be, the result will be, as has been found in the case of Municipal Service Commissions elsewhere, our Civil Service Commissions may be found to have been under political domination rather than under professional guidance, the individual members of the Commission usually being appointed more largely on account of political considerations than because of their understanding of employment problems. I draw the attention of this House to this particular point that, in more advanced countries democratically speaking, they find that the commissioners to the commissions are usually appointed more largely on account of political considerations than because of their understanding the employment problem. Again, Sir, it may be that 'although some of our commissions have shown notable courage and devotion in the case of our civil servants generally speaking, we have not secured faithfully the enforcement of merit principles.' I do not desire to say more on this point. I trust I have said enough to convince this House that although on the face of it a *prima facie* desire to form a Public Services Commission is uppermost in our minds, a mere phrase will not satisfy us. We must not mistake the shadow for the substance. Let the rules be published ; let us know exactly where we stand ; more than that, let the Government make up their minds to vest the appointment of the Commissioners in the Secretary of State or an outside authority ; let them not be creatures of this local Government and let us also know that in the appointment of these Commissioners political considerations will not enter. Last, but not least, let us also know that the desire is not to use the public service as props to keep up parties in power but to get for the mass and the people the best and the most efficient service for the taxes they pay. With these words, Mr. President, I beg to move that this Bill be circulated."

Mr. J. A. Saldanha :—"Mr. President, Sir, I beg to second this motion. I need not spend much of my speech on this subject as all the points that are desirable to be considered for the appointment of a Public Services Commission have been dealt with by my hon. Friend, the Representative for the University. What is desirable is that the Public Services Commission should be an independent body, independent of political considerations, independent of church considerations or any other considerations. This Bill is so drawn up that it gives us no safeguard against the Commission being hand-maid of the Government and perhaps of the Ministry in power for the moment, because it provides also for the removal of any of the members of the Commission without any ground. No period is fixed for the holding of office by the Commissioners. Disqualifications and disabilities are not comprehensively mentioned. For

instance a commissioner should not be a Member of the Legislative Council. As pointed out by my hon. Friend, Mr. Satyamurti, we are not aware of the rules and of the classification of the services. The Legislative Council should have a control on the appointments to be made, on the principles of the classification of the service and on the principles on which appointments should be made. The main considerations should be those of qualifications and efficiency. These considerations cannot be left to the will of the Government but should be, to a great extent, placed under the control of the Legislature. With these words I second the motion of my hon. Friend."

* The hon. the PRESIDENT :—"The question is that for the motion of the hon. the Revenue Member to substitute the amendment with the words, 'that the Bill be circulated'. Both the motion and the amendment are for the consideration of the House so that the principles of the Bill as well as this may be discussed."

2-45 p.m.

* Sriman BISWANATH DAS Mahasayo :—"Mr. President, Sir, I very heartily support the motion of my hon. Friend the Member for the University. We from this side of the House always wanted to have a Public Services Commission. So it may come as a surprise to many that we now propose to circulate the Bill for public opinion in the country. We never wanted a Bill of the nature that is now introduced before the House. A Public Services Commission should be established in this Province which would be guided not by the Executive Government but by definite set of rules and whose functions will be quite distinct and away from the political or party influences in the country. But that is not what is being proposed by this Bill that is now introduced by the hon. the Leader of the House. Speaking for myself and also the Oriya community of Madras which partly I have the honour to represent, we have got practically nothing ever since party influences came to play in respect of loaves and fishes. So it is quite wrong and a travesty of truth to say that each class and community is getting its due share under the reformed dispensation or ever since the party system has come to existence. Therefore experience, sad though it has been, makes us think that each man, each class and each community who desires for a place in the public service should have a fair field and no favour. Communities which are not represented in service should be given some sort of representation, should find representation not by selection but by some sort of competition offering the best among them. That is the system that is being propounded in the Public Services Commission of the Central Government. Unfortunately this Government have not come forward with definite proposals or definite set of rules which will regulate the activities of the Public Services Commission in Madras. All that the Bill proposes is it relegates the Public Services Commission to the position of mere advisers, advisers to the Government and we know how the Government is going to accept that costly advice. Our past experiences are very unfortunate and I feel that the outcome is dust against weight for this Province has to pay a sum of Rs. 1,20,000 a year, if my calculations are correct. It is to maintain the costly staff and establishment. One would not mind this expenditure if it had an independent and important function to perform so as to ensure an efficient selection. But that is not what is supposed to be done here. Sir, the Bill is based on the lines of section 96-C of the Government of India Act. 96-B lays down that the local Government will have to discharge such functions as are delegated to it by the Secretary of State for India. In the first place we do not know what are the powers that have

been delegated by the Secretary of State. I closely followed the hon. the Leader of the House and he did not give us any idea as to the powers that this Government have been delegated by the Secretary of State. These are important objections regarding the general principles of the Public Services Bill. Then coming to the Bill itself, Sir, I find that the Governor in Council has been the sole determining factor in appointing as also in dismissing the members of the Public Services Commission. This is a position to which we ourselves cannot agree. If you want to make the Public Services Commission independent of itself and free from all political influences I think it is but fair to the Commission that they should have independent existence governed by a set of rules or Act and be removable only by an address of this House. But this is not what is being proposed in the Bill. Then, Sir, there are two kinds of appointments proposed to be done, i.e., selection and competition. In the first place we do not know what are the places which are to be kept for competition and why at all selection is to be resorted to ; if selection is to be kept on, whether persons to be selected are to be selected out of communities not represented in the competitive examinations or from communities and castes that are represented by candidates appearing for the competitive examinations. All these are thorny questions which have to be faced by Government and I think it is but fair that they should frame a set of rules as was done by the central Government and then come forward with a Bill and ask us to give our seal of approval. Sir, the Bill proposes very important functions to be relegated to the rules. It surprises and passes our comprehension why these rules should be framed by the Local Government without the consultation and the approval of the Legislative Council. I do for my part desire that the legislature should have nothing to do with the work of the Public Services Commission because we concede the principle that the Public Services Commission should be away from party influences. But that is no reason why the procedure and the activities of the Public Services Commission should not be bound by rules framed by the Local Government with the approval of the Legislative Council. These are important functions on which we have got our differences. So I think it is fair that such an important Bill of this character which commits the Provincial Revenues every year to the extent of $1\frac{1}{4}$ lakhs and commits us to very important principles should have sufficient time for deliberation. Of course the hon. Member is right in his own way in giving seven days notice according to the rules. If I remember right it was published just a few days ago. It technically follows the Standing Orders in giving eight or ten days notice. An important Bill of this magnitude should be given sufficient time not only to consult ourselves but to consult the public opinion and the constituency whom we have to represent. With these words, Sir, I strongly support my friend's motion for circulation of the Bill."

* Rao Bahadur Sir A. P. Patro :—" Sir, I carefully listened to the very lengthy address which the hon. and Learned Member for the University was pleased to deliver in the House. With due respect to him and to this House I venture to suggest that all that eloquence could have been spared to us if he had only read out to us the leading article in the *Hindu* from which all his arguments are drawn with running comments also based on the views expressed therein. The points that he sought to make out are that people have to be educated on the merits of the Bill and therefore it is premature, time must be given ; hence there must be a re-circulation. The second argument in support of his position was that the rules should be framed and the rules must

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be published before the Bill. These are the two main grounds which are relevant for discussion of the motion of adjournment. The first, viz., that there was not time enough for people to discuss the matter, can be easily disposed of. Already there has been some discussion in the press and if the House still wants any further time for the purpose of making up its mind on the merits of the Bill there is the interval between the time when the Bill is referred to the Select Committee and the time the Select Committee could dispose of it. There is plenty of time for members of this House and the public from the day of reference to the Select Committee until disposal by the Select Committee. Therefore that argument I submit is not at all sound nor do I think it is very seriously advanced.

"The second argument in favour of the adjournment is that the rules must be published, in order to know the nature and scope of the Bill. I am surprised to see that an independent Congresswallah should have gone to this length, namely, that we should not trust the Government of our own people. That is to say, we are going to have provincial autonomy and yet we do not want to submit ourselves to our own representatives to frame rules and regulations to control the services. The executive Government has the power to frame rules to control the services, it is not for the legislature to intervene in regard to this control. The hon. Member for the University has himself alluded more than once to the peculiar circumstances of our country; therefore Government have to frame rules from time to time as circumstances arise. In other words, you will be surrendering the powers of the executive Government to the legislature. Government's policy is well known and the rules hitherto made are also known to the public. The House already laid down policy. Hence the proposal is to appoint an independent body like the Services Commission for the purpose of selection of suitable candidates for all the services and in the matter of selection certain rules will have to be framed by executive Government.

3 p.m.

"Take again the analogy of the Government of India. In the case of the All-India Services Commission, it is the Secretary of State that framed the rules. He appointed the Services Commission. Now, one of the arguments advanced by the hon. Member for the University is that Government should not appoint members but some extraneous authority must appoint them. His patriotism and his love of freedom would be satisfied if the Secretary of State made the rules and made the appointments for the Public Services Commission in Madras but he would not repose confidence in the local Government in the matter of making the appointments to the Public Services Commission. I leave it to the House to see how far this can be accepted.

"Again, the hon. Member said that the Commission has to carry out rules framed by the Government. Similarly in the case of the Commission appointed for the Government of India, it has to carry out the rules framed by the Secretary of State. Every Commission appointed will have to accept or adopt the rules framed by the executive Government of the time. I submit that argument also falls to the ground.

"Then, he quoted the authority in support of his remarks of Bishop Waller. I have great respect for him and he may be a good authority on Church Law but in so far as political controversies are concerned, it is really strange to quote his authority. Again he quoted Sir Malcolm Hailey and some text-book writers, who say that every community in the country should

have equal justice. The circumstances of our country are such that there is a preponderance of one particular community and it is the aim and struggle of every other community to have its own proper and legitimate share in the services. That being so, it is impossible to lay down categorically, and text-book writers will not be able to help us very much. I admit that justice must be done to all who possess merit, but the bogey of efficiency has been too much pressed in this province more than necessary. The bureaucracy must realize the danger of making a fetish of efficiency. I warn the Government to see that while the standard of efficiency should be kept in view the special circumstances prevailing in this country must be fully kept in view ; otherwise it will lead to dangerous positions. Therefore, it is essential that the authorities in the provinces must take into consideration the circumstances prevailing in the country. And, the Commission should be an independent Commission. But why should we distrust the Government ? Has there been any reason for that ? We know it is the favourite game of a particular set of people to raise a cry before they are hurt and warn Government as a threat. The real object of the motion for republication is to thwart the Bill and cause unnecessary alarm.

"Sir, my hon. Friend has referred to several matters relating to recruitment. I think they are all irrelevant at this stage of the Bill. There is nothing on the merits which commends the acceptance of this motion for adjournment. When the Bill is referred to the Select Committee, all other points that may come up may very well be considered by the Select Committee."

Mr. ABDUL HAMID KHAN :—"Sir, I did not intend to intervence in this debate, because in the beginning I myself believed, on a cursory reading I made of the Bill, that the Bill might be referred to a Select Committee. But after hearing the Floor Leader of the Justice Party who came forward with arguments for allowing this Bill to go as it is to the Select Committee without further publication, I thought that it was time that we called halt. Sir, the Bill that has been placed for consideration is a mere skeleton. It does not satisfy the requirements which are necessary to enable the House to come to any decision on the fact whether this Bill is acceptable or not. I say it is impossible for any member who is interested in the welfare of the administration of this province to agree to the reference of this Bill even to a Select Committee, as the Select Committee cannot alter the principles that are involved in the Bill. It may make changes here and there, but certainly it cannot change the nature of the Bill. Sir Patro referred and rightly referred to the necessity for communal justice, and justice for all communities concerned. At the same time he made a mistake. He said that it should be done at the expense of efficiency. Sir, I do not agree with him there. (Sir Patro : 'I did not say so.') If I remember aright, he said that the bureaucracy was making a fetish or making too much of a bogey of efficiency. Certainly, Sir, no administration can ignore the fact that it is essential and it is the first principle. At the same time, I submit, my friend who belongs to the non-Brahman community gives away the case when he says that they cannot find efficient people even in their own community. I should think, going on hating again and again a community which had the advantage over other communities in the matter of education is not desirable. It is only when communities other than Brahman take to education and compete with the Brahmans and at the same time take their place, that certainly

they will be given their due share. At the same time I say, in order to do communal justice, the Government have to make some provision whereby they can give redress to the grievances of other communities. Now what is happening in regard to the appointment of officers under the bureaucracy is that the persons who are really efficient and who have a legitimate right to the office are ignored, because of the fact that they belong to poorer communities, because of the fact that they do not have influence with the Members of Government, and because they do not have godfathers. What happens is that friends of members and other relatives have got a better chance to those services; whereas people who do not have those advantages go to the wall. Therefore, safeguard is absolutely necessary with a view to give an opportunity to communities other than those who are preponderating elements in the services of the country. The proper thing that should be done is to throw open these appointments for competition among the members of those communities themselves. If the Government wishes to appoint a certain number of Muslims to a particular office, that Commission which might come into existence should have rules framed in a manner that they should provide for competitive examination among the members of that particular community, so that they could give an opportunity to the best men in the community to get themselves appointed. Further, Sir, this Bill, I mean, proviso to clause 4, allows Members of the Government after retirement to also occupy these offices. I may, in this connexion, say, that we at least in this Council, before we give our assent to this Bill, have to take particular care to see the mentality that prevails in the Commission. My fear is that if we appoint on the Commission Members of the Government after their retirement, I do not know if we will not be perpetuating the same mentality in the Commission also. Therefore, I do believe that if at all they wish to make the Commission an independent body, which should not be influenced by the heads of departments, a body which will not, in one way or another, be obliged to the Members of the Government—it is only when they are independent that they can do justice—ex-Members of Government should not be appointed. Sir, I am afraid, the salary that is fixed for the members of the Commission is high. One might say that the salary is fixed so high in order to keep them out of temptation. But certainly, Sir, in a country like this, I do not think it is necessary that such salaries . . ."

3-15 p.m.

The hon. the PRESIDENT :—" I am afraid that the question of salary is a matter of detail rather than a general principle of the Bill."

MR. ABDUL HAMID KHAN :—" Very well, Sir, the principle that I wish to press when I referred to the question of salary is that we in this country ought to try wherever possible to cut down salaries.

" Then, Sir, the appointment of these commissioners is made by the Governor and it is also stated that His Excellency the Governor can also dismiss or remove them from office whenever he likes. Here I say, Sir, it is a copy of what is obtaining in England. In England the Civil Service Commission, as it is known, is appointed by the Crown on the advice given by the Premier. Here also if similar circumstances as prevail in England are existing, we could have understood this authority given to His Excellency the Governor. Until and unless we have provincial autonomy, complete provincial autonomy, I do not think that that analogy will hold good

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in our province. Sir, it is in order to prevent jobbery, it is in order to give opportunity for members of the backward communities and communities other than those which preponderate in the services that a Public Services commission is sought to be brought into existence. But if that Commission is not going to prevent the evils sought to be prevented, then I say, Sir, no salvation is in sight. Unless this Public Services Commission is made an independent body, a body which is in no way obliged or responsible to the bureaucracy, to the authorities of the Government, I say, Sir, that that body will not function independently. One may say that instead of giving the power of appointment of this Commission to the Local Government, we might give it to the Central Government. But there again, the difficulty comes that in so far as we do not have the amount of freedom, the power which we should have in an autonomous province, it won't be helpful. It is the self-same members of the local Government who will be the advisers of the Central Government. Therefore, Sir, in view of the fact that it is hoped that the provinces will soon have provincial autonomy and that we will be independent in our own provinces, I say that we should have the authority vested in the Government of the province, but at the same time we must have sufficient safeguards to see that the evils which are sought to be removed by the appointment of a Public Services Commission are not perpetuated by bringing into existence a Commission which will not be independent of that Government that is existing to-day."

* Mr. A. Ranganatha Mudaliyar :—" Sir, I accept your suggestion and pass over what are, comparatively speaking, less important matters such as whether the Commission should consist of more than three members, whether any of the members should be permitted to look forward to other appointments even under the limitations imposed by the sub-clauses in section 4, whether their pay should be unnecessarily large, whether there should be any Government officer present along with the Commission when they sit and select people, and whether again the process to be adopted for appointing people should not be more exclusively by competition than by any other method. These and other matters I pass by. But there are two questions in connexion with this matter, Sir, which to my mind are very important and should be seriously considered by the Council. I refer to the observations made by the hon. Member for Ganjam, namely, that in the Council some of the members are less inclined to view with confidence and trust their own government than they are willing to regard governments elsewhere. He spoke, Sir, as if provincial autonomy was already an accomplished fact and asked us whether we could not trust our own men. But we are dealing with this Bill here and now. What are the circumstances under which we are considering this Bill? We have no provincial autonomy now. We are working under the diarchic system of Government which to say the least has most demoralizing influences (Hear, hear) and I should wish that any Commission to be appointed here should be really independent not merely in theory but in fact. Who are the people, Sir, who are going to appoint these commissioners? Is it the Governor in Council? I want to know what power the other Members of the Government will have in the selection and appointment of these people. Is the Reserved Half going to exercise its own power and select any people they like and compel the Ministry to accept the choice (Hear, hear) of people that may be made to the Commission? And again,

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Sir, the question of the rules is a very serious matter. I hope that the rules will be made and placed before the Council so that we may judge this Act in the light of the rules they will frame for the working of this Commission? I do not know if the Government ever attempted to formulate them, or having attempted it, they found the task difficult and left it alone. Sir, the power is given here to the Government to frame rules. The rules will not even come before the Council for adoption before they are going to be acted upon. Now, Sir, we know how rules are framed by different Members of Government in their own peculiar fashion. Only the other day we had an answer from the hon. the Revenue Member saying that the rules which enunciated that appointments should be in a certain proportion and by rotation according to communities applied only to recruitment. But all the same these rules which according to the hon. the Revenue Member were meant only for recruitment were deliberately applied to promotion. By no stretch of imagination could it be said that the recent appointments in the Registration department to which exception has been taken partake of the character of 'recruitment.' Surely it was a case of promotion, Sir. And yet the Government Order which was issued only for recruitment was misused for application to cases of promotion. So, I say that the Council should insist that these rules should come up before the Legislative Council for ratification before they are to be acted upon. These are the observations I wanted to make, and they represent views which I am holding not merely now but have always held and expressed also."

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, I will just briefly notice one or two points in the remarks made by Members opposite. One argument against the Bill on its merits was that it was a fraud on the statute, so to speak. The delegation rule provides that while the local Government has power to make rules regarding the method of recruitment, the previous sanction of the Governor-General in Council should be required to make first appointments otherwise than as a result of competitive examination or on the advice of a permanent board of selection. So, presumably the idea of that rule was that this Government should set up such a board. This is exactly what we are proposing to do. So why it should be regarded in any way inconsistent with the delegation I cannot see.

" The next criticisms which I wish to notice are that this body we propose to set up by this Bill is removable and that its functions are advisory. I cannot pretend to any complete knowledge of the Public Services Commissions in the world. All of them that I know of are removable by the Government that they work under and their functions are advisory. The Public Services Commission in England is certainly removable by His Majesty's Government and it is only advisory in its functions. So in India the Public Services Commission at Delhi is removable by the Government of India and is only advisory. I cannot imagine how any Government could have a body constituted by or functioning under it which is entirely independent of it in that way. It is the strength of public opinion and convention that makes the advice of the Public Services Commission accepted without question, not a provision of law.

" Then as regards the question of the rules, Sir, this Bill does not provide at all for the making of any rules of the kind that the hon. Members are referring to, and the making of those rules must follow this setting up of the

[Sir Norman Marjoribanks] [31st January 1929

Public Services Commission, but not precede it, because if we make such rules, then we can make no appointment except with the previous sanction of the Governor-General in Council, which is a very cumbrous and inconvenient procedure. As a matter of fact, it has been stated in answer to a question put by the hon. Member for the University, that in the case of those services where the requirement of technical qualifications does not make any communal rule of recruitment unworkable, it is proposed to follow a certain rule which was set out in full in the answer to that question. As regards other conditions of recruitment, there is no intention of departing from the standards at present prescribed by executive orders which have been in force in every department for a very long time. It is not until this Commission is set up that we can give statutory effect to those orders and to the restriction in regard to communal considerations to which reference has already been made.

3-30 p.m.

"There is no reason why, for want of rules, the matter should be postponed. Speaking generally, a motion to postpone the discussion is tantamount almost to a motion for a rejection of the Bill. If it is circulated, it is doubtful whether another opportunity could be found for its re-introduction. Then there is the time to be taken by the Select Committee for consideration. So the Bill would not be likely to pass into law within the normal lifetime of the Council. I cannot prophesy there will be any extension; it is not within our power. So, I would ask the House to support this motion."

The hon. the PRESIDENT :—"I think that the House is ready for a vote. I now put the amendment of Mr. Satyamurti to the vote of the House, viz.—

'*That the Public Services Commission Bill be circulated.*'"

The motion was declared lost.

Mr Satyamurti demanded a poll and the House divided thus—

Ayes.

1 Mr. S. Satyamurti.
2. ,, C. V Venkataramana Ayyangar.
3. ,, P. Anjaneyulu.
4. ,, P. C Venkatapati Raju.
5. ,, J. A. Saldanha.
6. Abdul Hamid Khan Sahib Bahadur.
7. Mr. C. S. Govindaraja Mudaliyar.
8. ,, G. Harisarvottama Rao.
9. ,, C. N. Muthuranga Mudaliyar.
10. ,, K. V. R. Swami.
11. ,, D. Narayana Raju.
12. Dr. B. S. Mallayya.
13. Mr. K. Uppi Sahib.
14. ,, K. R. Karant.
15. ,, C. Obi Reddi.
16. Mr. A. Parasurama Rao.
17. ,, C. Ramasomayajalu
18. Basheer Ahmad Sayeed Sahib Bahadur.
19. Mr. P. Bhaktavatsulu Nayudu.
20. Sriman Biswanath Das Mahasayo.
21 Mr. A. Kaleswara Rao.
22. ,, R. Srinivasa Ayyangar.
23. ,, K. Koti Reddi.
24. ,, L. K. Tulasiram.
25. ,, C. Marudavanam Pillai.
26. ,, K. Madhavan Nayar.
27. ,, C. Venkatarangam Nayudu.
28 ,, B. Venkataratnam.
29. ,, K. S. Sivasubrahmanya Ayyar.
30. ,, K. R. Venkatarama Ayyar.

Noes.

1 The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Dr. (Mrs.) Muthulakshmi Reddi.
9. Diwan Bahadur P. Kesava Pillai.
10. Mr. V. Ramjee Rao.
11. ,, G. R. Premayya.
12. Swami A. S. Sahajananda.
13. Mr. K. Abdul Hye Sahib.
14. ,, K. Ramachandra Padayachi
15. ,, H. F. P. Hearson.
16 Rajkumar S. N. Dorai Raja.
17 Mr. C. E. Wood.
18. ,, F. E. James.

Noes—cont.

19. Rao Bahadur Sir A. P. Patro.
20. Maharaja of Venkatagiri.
21. Diwan Bahadur P. C. Ethirajulu Nayudu.
22. Mr. P. T. Rajan.
23. ,, T. K. Chidambaranatha Mudaliyar.
24. Muhammad Khadir Mohidin Sahib Bahadur.
25. Diwan Bahadur S. Kumaraswami Reddiyar.
26. Rao Bahadur B. Muniswami Nayudu.
27. Mr. K. Sarabha Reddi.
28. ,, A. V Bhanoji Rao.
29. ,, T. M. Moidoo Sahib.
30. ,, Chavadi K. Subrahmanya Pillai.
31. ,, C. Gopala Menon.
32. ,, B Ramachandra Reddi.
33. ,, W. P. A. Soundarapandya Nadar.
34. ,, S. Subrahmanya Moopanar.
35. ,, Thomas Daniel.
36. ,, S. Venkiah.
37. Rai Sahib M. Hampayya.
38. Rao Sahib R. Srinivasan.
39. Mr. J. Kuppuswami.
40. Subadar-Major S. A. Nanjappah Bahadur.
41. Rao Bahadur O. M. Narayanan Nambudripad.
42. Mr T. M. Narayanaswami Pillai.
43. ,, N. Siva Raj.
44. Rao Sahib L. C. Guruswami.
45. Mr. V. I Muniswami Pillai.
46. ,, C. D. Appavu Chettiyar.
47. ,, A. B. Shetty.
48. ,, J. Bheemayya.
49. ,, R Foulkes.
50. ,, P. J. Gnanavaram Pillai.
51. Mahmud Schamnad Sahib Bahadur.
52. Mr. Muppil Nayar of Kavalappara.
53. The Zamindar of Singampatti.
54. Mr. Alladi Krishnaswami Ayyar.
55. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur.
56. Mr. H. A. Watson.
57. ,, C. A. Souter.
58. ,, S. H. Slater.
59. ,, A. McG. C. Tampoe.
60. ,, C. W. E. Cotton.
61. ,, V. Ch. John.
62. ,, M. A. Manikkavelu Nayakar.
63. Syed Tajudin Sahib Bahadur.

Neutral.

1. Mr. A. Ranganatha Mudaliyar.
2. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
3. Mr. Ramanath Goenka.
4. ,, R. Nagan Gowda.
5. ,, K. P. Raman Menon.

Ayes 30. Noes. 63. Neutral 5.

The motion was negatived.

The hon. the PRESIDENT :—" Now the question is that the Bill be referred to a Select Committee."

The motion was put and carried.

The hon. the PRESIDENT :—" Now it will be convenient for the House to take up the motion of Mr. C. S. Govindaraja Mudaliyar to suspend the standing order."

Mr. C. S. GOVINDARAJA MUDALIYAR :—" Mr. President, I move—

'*under S.O. No* 40 (2) *that leave be granted for referring the Bill to a Select Committee composed of more than fifteen Members.*' "

Mr. BASHEER AHMAD SAYEED :—" I second it."

The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, this rule was made by this Council restricting their Select Committees to a certain number after experience of a series of very large Select Committees. There is nothing so complicated or detailed in this Bill as to require a large number of representatives from the different parts of the Presidency to examine it. I consulted the leaders of all parties and took their lists and adopted them in the list that I have proposed. If the list is now to be altered, we will upset the whole arrangement. I do not say that it is not within the power of the House to do so, but I would only suggest that it would not serve any useful purpose. So, I oppose the motion."

The motion was put and declared carried.

The hon. Sir Norman Marjoribanks demanded a poll and the House divided thus :—

Ayes.

1. Mr. V Ramjee Rao.
2. ,, Sami Venkatachalam Chetti.
3. ,, S. Satyamurti.
4. ,, C. V. Venkataramana Ayyangar.
5. ,, P. Anjaneyulu.
6. ,, P. C. Venkatapati Raju.
7. ,, J. A. Saldanha.
8. ,, Abdul Hamid Khan Sahib.
9. ,, C. S. Govindaraju Mudaliyar
10. ,, G. Harisarvottama Rao.
11. ,, C. N. Muthuranga Mudaliyar.
12. ,, K. V. R. Swami.
13. ,, D. Narayana Raju.
14. Dr. B. S. Mallayya.
15. Mr. K. Uppi Sahib.
16. ,, K. R. Karant.
17. Mr. C. Obi Reddi.
18. ,, A. Parasurama Rao.
19. ,, C. Ramasomayajulu.
20. ,, Basheer Ahmad Sayeed.
21. ,, P. Baktavatsulu Nayudu.
22. Sriman Biswanath Das Mahasayo.
23. Mr. A. Kaleswara Rao.
24. ,, R. Srinivasa Ayyangar.
25. ,, K. Koti Reddi.
26. ,, L. K. Tulasiram.
27. ,, K. V. Krishnaswami Nayakar.
28. ,, K. Madhavan Nayar.
29. ,, C. Venkatarangam Nayudu.
30. ,, B. Venkataratnam.
31. ,, K. S. Sivasubrahmanya Ayyar.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Dr. (Mrs.) S Muthulakshmi Reddi.
9. Diwan Bahadur P. Kesava Pillai.
10. Mr. Alladi Krishnaswami Ayyar.
11. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur.
12. Mr. H. A. Watson.
13. ,, C. A. Souter.
14. ,, S. H. Slater.
15. ,, A. McG. C. Tampoe.
16. ,, C. W. E. Cotton.
17. ,, V. Ch. John.
18. ,, M. A. Manikkavelu Nayakar.
19. ,, Syed Tajudin Sahib.
20 ,, C. D. Appavu Chettiyar.
21 ,, A. B. Shetty.
22. ,, J. Bheemayya.
23. ,, R. Foulkes.
24. ,, P. J. Gnanavaram Pillai.
25. ,, Mahmud Schamnad Sahib.
26. ,, Muppil Nayar of Kavalappara.
27. The Zamindar of Singampatti.
28. Mr J. Kuppuswami.
29. Subadar-Major S A. Nanjappah Bahadur.
30. Rao Bahadur O. M. Narayanan Nambudripad.
31. Mr. T. M. Narayanaswami Pillai.
32. ,, N. Siva Raj.
33. Mr. L. C. Guruswami.
34. ,, V. I. Muniswami Pillai.
35. ,, W. P. A. Soundara Pandya Nadar.
36. ,, S. Subrahmanya Moopanar.
37. ,, Daniel Thomas.
38. ,, S. V. Vanavudaya Gounder.
39. ,, S. Venkiah.
40. Rai Sahib M. Hampayya.
41. Rao Sahib R. Srinivasan.
42. Rajkumar S. N. Dorai Raja.
43. ,, K. Ramachandra Padayachi.
44. ,, G. R. Premayya.
45. Swami A. S. Sahajanandam.
46. Mr. A. Ranganatha Mudaliyar.
47. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
48. Mr. Ramanath Goenka.
49. ,, R. Nagan Gowda.
50. The Zamindar of Gollapalli.
51. Mr. Chavadi K. Subrahmanya Pillai.
52. ,, C. Gopala Menon
53. ,, B. Ramachandra Reddi.
54. Rao Bahadur Sir A. P. Patro.
55. The Maharaja of Venkatagiri.
56. Diwan Bahadur P. C. Ethirajulu Nayudu.
57. Mr. P. T. Rajan.
58. ,, T. K. Chidambaranatha Mudaliyar.
59. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
60. Mr. Muhammad Khadir Mohidin Sahib.
61. Diwan Bahadur S. Kumaraswami Reddiyar.
62. Mr. T. M Moidoo Sahib.
63. Rao Bahadur B. Muniswami Nayudu.
64. The Kumararaja of Venkatagiri.
65. Mr. A. V. Bhanoji Rao.

Ayes 31. Noes 65.

The motion was negatived.

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The hon. Sir NORMAN MARJORIBANKS :—"I now move that the Madras Services Commission Bill be referred to a Select Committee consisting of the following members :— 3-45 p.m.

1. The hon. the Chief Minister.
2. Mr. A. Balakrishna Shetty.
3. ,, Muhammad Schamnad Sahib.
4. ,, V. I Muniswami Pillai.
5. Diwan Bahahur S. Kumaraswami Reddiyar.
6. Rao Bahadur B. Muniswami Nayudu.
7. Mr. A. Ranganatha Mudaliyar.
8. ,, K. P. Raman Menon.
9. ,, T. Adinarayana Chettiyar.
10. ,, J. A. Saldanha.
11. ,, C. V. Venkataramana Ayyangar.
12. ,, K. P. V. S. Muhammad Meera Ravuttar.
13. ,, Muppil Nayar of Kavalappara.
14. ,, R. Foulkes.
15. ,, Alladi Krishnaswami Ayyar (Advocate-General).
16. The Mover (The hon. Sir Norman Marjoribanks)."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I second it."

The motion was put to the House and carried.

VI

A BILL FURTHER TO AMEND THE MADRAS CITY POLICE ACT, 1888.

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"I beg to introduce the Bill [a] further to amend the Madras City Police Act, 1888 (Bill No. 4 of 1929), and move that it be referred to a Select Committee.

"In doing so, I wish to state that in 1925 it was brought to the notice of the Government that a number of bucket shops had come into existence in the City of Madras and it was suggested that legislation should be brought forward by the Government to put them down. Government in 1926 appointed a committee consisting of Mr. P. L. Moore (Chairman), Mr. H. F. Travers Philips, Major H. A. Hilderbrand, Mr. A. Ramaswami Mudaliyar and Mr. C. Gopala Menon. This Committee went into the question and reported that we should legislate for the suppression of these bucket shops and they also stated that the legislation should be confined to the City of Madras. The Government accepted their recommendations and took steps to have the Madras City Police Act amended.

"Certain objections have been raised saying that this Bill may not be very effective because there will be concentration of bucket shops on the borders of the City. I should like to bring to the notice of this House that if they should be successful, they would require a large number of people ready to bet with small sums of money and there should also be proper facilities for people to have easy access to these bucket shops. So if they are located outside the city limits they will not thrive. With regard to the

[a] Published in the *Fort St. George Gazette*, dated 22nd January 1929.

question of legislating for the mufassal places, I may say that Government which accepted the views of the Moore Committee think that there is no necessity. If after gaining experience of the working of this Act, the Government find that there is a necessity to legislate for the mufassal places also they will then consider the question."

The hon. Mr. T. E. Moir :—" I second it."

Mr. C. E. Wood :—" I beg to move that the Select Committee proposed by the hon. the Home Member shall contain also . . ."

The hon. the President :—" The question now is that the Bill be referred to a Select Committee. Who shall be the Members, what shall be the number, all these will be disposed of when this motion is disposed of."

Mr. Sami Venkatachalam Chetti :—" I rise to thank the hon. the Home Member for having at least brought this Bill for introduction at this late stage. The evil of gambling and betting in the city of Madras has gone so extensive that no single family perhaps has escaped from the ravages of the betting evil. The hon. the Home Member has said that the evil has not spread so far in the mufassal as to necessitate legislation there. It seems to me that the reports he received must have been very inaccurate. From the information we have we think that the evil has spread far and wide in this Presidency. It does not require a race club for a bucket shop to spring up. These bucket shops come into existence promiscuously. It took nearly three years for the Government to move this Bill in the Legislative Council in spite of insistence from the non-official Members for the introduction of a Bill of this nature. I am glad that at least now the Government have introduced this Bill, but we find that the provisions of the Bill, though the object seems to be laudable, leave a loop-hole to the Commissioner of Police to grant licences to some places where betting might be carried on. It seems to me that licences ought not to be permitted to be given to any place. We do hope that after the passing of this Bill the evil of betting in the city of Madras will be greatly obviated. I have great pleasure in supporting this motion."

* Mr. J. A. Saldanha :—" While supporting the provisions of this measure in general, I hope that the Select Committee and also the Government will take into consideration some suggestions which I shall presently put forward. We have not got in this Presidency any law generally to regulate race course activities of the kind we have in Bombay and England. Bombay Race Course Act III of 1912 was passed on the lines of the English Act. That Act, the Totalisators Act is a very important measure to check bettings in the race course. Unless we have got some law like that passed in Bombay I think betting will only be accentuated in the Guindy race course.

" What happened in Bombay was this : after the Licensing Act was passed, bucket shops increased in the city, and the Bombay Government brought in a measure in 1919 and 1922 to suppress those bucket shops on the basis of which our present Bill is introduced. Until and unless we have got a law to control betting at the race course at Guindy and other places, the object of this Bill will be to a great extent defeated.

" Another point that I wish to mention is that the provisions of the Bill will be confined to the City limits only. Bucket shops can be set up just

outside the city limits. That would be a very easy thing. This Bill when passed must have jurisdiction for some distance. We have got provisions in the District Municipalities Act preventing the existence of slaughter houses even beyond the limits of the municipalities, for instance within three miles from the town limit. I would propose that there should be a similar provision in this Bill also."

*Rajkumar S. N. DORAI RAJA :—"I heartily congratulate the hon. the Home Member for bringing in this Bill. It is none too soon. As we all know gambling is ruining very many people in this city and also in mufassal and this legislation seems to be very necessary and Sir, we all know that life is a huge gamble and the element of chance appeals to all much more than anything else. There are some people who take advantage of this cupidity and also ignorance of the masses and try to ruin them. Therefore I say it is not only timely but it is imperative that this sort of exploitation should cease. The only thing that I wish to remark is that the Bill is not comprehensive enough to cover even the mufassal towns. It was stated that there was not much betting in the mufassal towns. I may bring it to the notice of this House that there are one or two bucket shops even in Trichinopoly and it is likely that it may extend to other places around Trichinopoly also. I have great pleasure in supporting the motion before the House."

Mr. P. BHAKTAVATSULU NAYUDU :—"Mr. President, Sir, I have great pleasure in joining the leader of my party in congratulating the hon. the Home Member for introducing this useful piece of legislation though late. Better late than never. This piece of legislation is long overdue. The city was simply getting looted practically by the encouragement of this gambling. The bucket shops have been rising like mushrooms in every house. . ."

4 p.m.

*The hon. the PRESIDENT :—"The hon. Member is not discussing the principles of the Bill."

*Mr. P. BHAKTAVATSULU NAYUDU :—"I am supporting the Bill. . ."

The hon. the PRESIDENT :—"Even while supporting the Bill, the hon. Member has to speak about the principles of the Bill."

Mr. P. BHAKTAVATSULU NAYUDU :—"I would like to draw the attention of the Government that it is desirable to extend the provisions of the Bill to the outskirts of the city also. If not, the Bill would not be of any use at all, for it will simply be driving the devil to a wider range and to a more salubrious atmosphere on the outskirts of the city. The bucket shops have already come into existence in Saidapet and Sembiam and they are doing great havoc there. So, I would suggest that the provisions of this Bill should be extended to the outskirts of the city if the Bill is to have any effect at all."

*Mr. BASHEER AHMAD SAYEED :—"Sir, on a point of order. From the reading of the Statement of Objects and Reasons, I find that the object is the suppression of bucket shops. I read 'Sir, the committee was of opinion that more control of bucket shops. . .'"

*The hon. the PRESIDENT :—"The hon. Member will simply mention the point of order."

Mr. BASHEER AHMAD SAYEED :—" Sir, I state it for what it is worth. The Bill aims at the suppression of bucket shops which is sought to be done by affecting many of the personal rights and liberties of individuals. The local Government is only entitled to regulate gambling and betting. But the Bill seeks to affect Criminal Procedure and Criminal Law. I think it is not within the purview of the Legislative Council. Since the hon. Member has not obtained the sanction of the Governor-General. . . "

* The hon. the PRESIDENT :—" I understand the point of order. The hon. Member says that this law will affect Criminal Law. Though the Bill is confined to the matter of regulating betting and gambling, it requires the sanction of the Governor-General as it affects Criminal Law. I would request the hon. Member to study the Devolution Rules which clearly lay down that Criminal Law can be affected so far as it concerns Provincial Subjects. The hon. Member himself has stated that betting and gambling are Provincial Subjects. I see no point of order."

Diwan Bahadur G. NARAYANASWAMI CHETTI :—" Mr. President, Sir, I congratulate the hon. the Home Member for bringing forward this piece of legislation. I think there is some difference of opinion whether the provisions of the Bill should be extended to the districts also. I do not think it can be done under the present Bill as it seeks to amend only the Madras City Police Act. The measure is a very beneficial one. The practical working of the Act will show us whether it may be extended to the districts also. I am very glad that the Government of Madras have introduced this Bill. I heartily congratulate the hon. the Home Member for bringing forward this Bill."

* The hon. the PRESIDENT :—" The question is that the Bill be referred to a Select Committee."

The motion was put and carried.

* The hon. the PRESIDENT :—" It will be convenient for the House to dispose of the amendment of Mr. Basheer Ahmad Sayeed to refer the Bill to a Select Committee of more than 15 members."

Mr. BASHEER AHMAD SAYEED :—" Sir, I beg leave to ask that the Bill be referred to a Select Committee consisting of more than 15 members."

Mr. P. BHAKTAVATSULU NAYUDU :—" I second it."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " Sir, I do not think this motion is necessary. I have proposed my Committee after consulting all the party leaders."

The motion was put and lost

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " Sir, the names of the members of the Select Committee will be moved to-morrow. I request your permission to do so."

* The hon. the PRESIDENT :—" The hon. Member has got the right to move the names to-morrow. No permission is necessary."

NON-OFFICIAL BUSINESS.

VII

THE ANDHRA UNIVERSITY ACT (AMENDMENT) BILL.

* The hon. the PRESIDENT :—" The House will resume the discussion of non-official business. The question for consideration was that the Bill of Mr. Nagan Gowda be passed into law."

* The motion was put and declared carried.

A poll was demanded and the House divided as follows :—

Ayes.

1. The hon. Sir Norman Marjoribanks.
2. „ Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. „ Mr. T. E. Moir.
4. „ Diwan Bahadur M. Krishnan Nayar.
5. „ Mr. M. R. Seturatnam Ayyar.
6. „ Mr S. Muthiah Mudaliyar.
7. „ Dr. P. Subbarayan.
8. Dr. (Mrs.) Muthulakshmi Reddi.
9. Diwan Bahadur P. Kesava Pillai.
10. Mr. Alladi Krishnaswami Ayyar.
11. Khan Bahadur Muhammad Bazl-ul-lah Sahib Bahadur.
12. Mr. H. A. Watson.
13. „ C. A. Souter.
14. „ S. H. Slater.
15. „ A. McG. C. Tampoe.
16. „ C. W. E. Cotton.
17. „ V. Ch. John.
18. „ M. A. Manikkavelu Nayakar.
19. Syed Tajuddin Sahib Bahadur.
20. Mr. C. D. Appavu Chettiyar.
21. „ A. B. Shetty.
22. „ R. Foulkes.
23. „ P. J. Ghanavaram Pillai.
24. „ Mahmud Schamnad Sahib.
25. The Muppil Nayar of Kavalappara.
26. The Zamindar of Singampatti.
27. Mr. J. Kuppuswami.
28. Subadar Major S. A. Nanjappah Bahadur.
29. Rao Bahadur O. M. Narayanan Nambudripad.
30. Mr. T. M. Narayanaswami Pillai.
31. „ N. Siva Raj.
32. Rao Sahib L. C. Guruswami.
33. Mr. V. I. Muniswami Pillai.
34. „ W. P. A. Soundara Pandia Nadar.
35. Mr. S. Subrahmanya Moopanar.
36. „ Daniel Thomas.
37. „ S. V. Vanavudaiya Goundar.
38. „ S. Venkiah.
39. Rao Sahib R. Srinivasan.
40. Mr. K. Abdul Hye Sahib.
41. „ G. R. Premayya.
42. „ A. S. Sahajananda Swami.
43. „ V. Ramjee Rao.
44. Dr. B. S. Mallayya.
45. Mr. K. R. Karant.
46. „ Basheer Ahmad Sayeed Sahib.
47. „ L. K. Tulasiram.
48. „ A. Ranganatha Mudaliyar.
49. „ Ramanath Goenka.
50. „ R. Nagan Gowda.
51. The Zamindar of Gollapalli.
52. Mr. Chavadi K. Subramanya Pillai.
53. „ K. R. Venkatarama Ayyar.
54. „ K. P. Raman Menon.
55. „ C. Gopala Menon.
56. „ B. Ramachandra Reddi.
57. Rao Bahadur Sir A. P. Patro.
58. The Maharaja of Venkatagiri.
59. Diwan Bahadur P. C. Ethirajulu Nayudu.
60. Mr. P. T. Rajan.
61. „ T. K. Chidambaranatha Mudaliyar.
62. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
63. Muhammad Khadir Mohidin Sahib Bahadur.
64. Diwan Bahadur S. Kumaraswami Reddiyar.
65. Khan Sahib T. M. Moidoo Sahib Bahadur.
66. Rao Bahadur B. Muniswami Nayudu.
67. Mr. K. Sarabha Reddi.
68. The Kumara Raja of Venkatagiri.
69. Mr. A. V. Bhanoji Rao.

Noes.

1. Mr. P. C. Venkatapathi Raju.
2. „ J. A. Saldanha.
3. „ G. Harisarvottama Rao.
4. „ C. N. Muthuranga Mudaliyar.
5. „ K. V. R. Swami.
6. „ D. Narayana Raju.
7. „ C. Obi Reddi.
8. Mr. A. Parasurama Rao Pantulu.
9. „ C. Ramasomayajulu.
10. „ A. Kaleswara Rao.
11. „ K. Koti Reddi.
12. „ K. Madhavan Nayar.
13. „ C. Venkatarangam Nayudu.
14. „ B. Venkataratnam.

Ayes 69. Noes 14.

The motion was carried.

[31st January 1929

The hon. the President called upon Diwan Bahadur P. Kesava Pillai to move his motion that his Bill be passed into law.

* Mr. A. RANGANATHA MUDALIYAR :—" On a point of order, Sir, the hon. Member for Anantapur, when he was called upon to move that his Bill be passed into law, said he did not do so."

* The hon. the PRESIDENT :—" He said he would not move the motion then."

* Mr. A. RANGANATHA MUDALIYAR :—" The only provision under which the Bill could have been dropped is under Standing Order No. 52, which says 'the member who introduces the Bill may, at any stage move for the Bill being withdrawn.' There is no other provision under which he could have dropped the motion."

* The hon. the PRESIDENT :—" The Standing Order to which the hon. Member has drawn attention, viz., Standing Order No. 52, relates to the withdrawal of Bills. After a Bill is introduced, if a Member wants to drop it, he must remove the Bill from the seisin of the House. He must move a motion that the Bill be withdrawn and the House must vote on that motion. Here there was no question of the withdrawal of the Bill. He did not move the motion of which he had given notice. It does not mean that he withdrew the Bill. Therefore no point of order arises."

Mr. A. KALESWARA RAO :—" Sir, I raise another point of order . . ."

* The hon. the PRESIDENT :—" The hon. Member may well study the point of order; it can be raised at any stage."

Mr. A. KALESWARA RAO :—" I have already studied it. Under Standing Order No. 34, a motion can either be adjourned or postponed or the Council may pass on to the next business in order. On the last occasion Mr. Kesava Pillai's motion that his Bill be passed into law was passed over by the Council . . ."

* The hon. the PRESIDENT :—" There was no such order of the Council; the hon. Member did not move his motion."

Mr. A. KALESWARA RAO :—" He said that he would not move his motion. How did we pass on to the next item ? "

The hon. the PRESIDENT :—" The hon. Member had a right to say that he did not move his motion then."

Mr. A. KALESWARA RAO :—" The motion has lapsed. I shall read the Standing Order . . ."

* The hon. the PRESIDENT :—" The motion lapsed that day. The hon. Member gave notice of his motion again yesterday. No period is fixed either by the Rules or Standing Orders for the motion, that the Bill be passed into law, being moved. The motion is on the Agenda now. When it is on the Agenda, I am not able to understand the point of order."

* Mr. A. RANGANATHA MUDALIYAR :—" When it is stated that a Member does not move his motion, it will be deemed to have been withdrawn."

* The hon. the PRESIDENT :—" It was withdrawn on that day. He has given notice of the motion again. That notice has been circulated to hon. Members."

31st January 1929]

Mr. A. KALESWARA RAO :—" I wish to be heard Sir."

4-15 p.m.

* The hon. the PRESIDENT :—" I do not propose to ask the help of the hon. Member in deciding a point of order."

Dwan Bahadur P. KESAVA PILLAI :—" I have reconsidered my position. We feel it will be to the advantage of our boys that Anantapur should be affiliated to Madras. In these circumstances I move that the Bill be passed into law. Even if you do not move the Minister will bring it on the 25th. I am trying to save the precious time of the Council, because it is sure to be passed with a huge majority."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

Mr. A. KALESWARA RAO :—" Mr. President, I rise to oppose this motion. I know I am fighting a losing game. All the same I have to do my duty to Bezwada, my constituency in particular, and Andhra desa in general. Therefore I have to make as it were this funeral oration on the dismemberment particularly of the Andhra desa caused by means of this Bill. Apart from the merits of Bezwada and Vizagapatam, personally I would not care very much if that is the only thing that has happened. The change of the headquarters from the most central place to one corner of Andhra desa has created a very serious situation. The effect of the removal of the headquarters to a very distant corner of the country has made as many as five districts at least to secede from the jurisdiction of the Andhra University. The question of getting two universities seems to be a mere vision, a mere ideal which we cannot expect to reach within a measureable distance of time. There was never any idea of four universities to be developed even when four centres were suggested."

* The hon. the PRESIDENT :—" The hon. Member will be in order only to differ regarding the shifting of the headquarters."

Mr. A. KALESWARA RAO :—" So when funds cannot be made available even for developing one university, it cannot be thought of that Government would have sufficient funds in the near future to develop another University. Therefore I should think it a great mistake to have done anything to compel some districts to secede from this University."

* The hon. the PRESIDENT :—" The hon. Member will be quite in order only to refer to the question of shifting the University headquarters and if he refers to the secession of the other districts he is only reflecting on the vote of the House."

Mr. A. KALESWARA RAO :—" The shifting of the headquarters, I am submitting, is a mistake. If the headquarters is located in a central place, there will be plenty of room for all districts to be united under one Andhra University. It is also a great mistake that the hon. Minister should have changed his attitude about the type of the University."

* The hon. the PRESIDENT :—" I am obliged again to point out to the hon. Member that the question whether the University is unitary or affiliated or both combined does not arise on this Bill."

Mr. A. KALESWARA RAO :—" I must say that if it is removed to a corner like Vizagapatam, it will have no claims to be called an Andhra University. We have only a portion of the Andhra desa under this new University. I am very sorry that the present floor leader of the Justice Party Sir A. P. Patro also has joined in this. I would call this a very improper alliance.

[Mr. A. Kaleswara Rao] [31st January 1929

I would not use the expression unholy although it comes to my mind. It is practically so. He ought to have known the change that he has brought into existence. On the other hand he has given up his positions and is helping a new Minister in all his wavering and vagaries and has brought about an impossible situation. I should think that the whole thing on the part of Sir A. P. Patro has been done from the very beginning till now with a sort of sinister motive. From 1925–26, though he was a Minister, for one year he had opportunities of selecting a site and constructing the necessary buildings at Bezwada. He did not do that. The new Minister is now taking up sides and is always in favour of one amendment or the other. He has set up one party against another and always prevented an honourable settlement, because he was always with some amendment which would tempt one party as against the rest. He was never occupying a neutral position but was telling the people that he would abide by the united decision of the Andhra Members. He was coming forward with a minute of dissent once, with an amendment afterwards, then a communique, and again with an amendment."

* The hon. the PRESIDENT :—"I cannot allow persistent irrelevancy like this."

Mr. A. KALESWARA RAO :—"I am sorry; I will finish. I would still appeal to the House to consider its previous opinion and allow the headquarters to remain at the most central place, for there is a possibility and also a probability of the unification of the Andhra desa again under one banner and have a completed and united Andhra University to the credit of Andhra desa."

* Mr. G. HARISARVOTTAMA RAO :—"Mr. President, Sir, I have had my own fight with regard to the headquarters of the University. But after a decision has been taken with regard to the separation of the Ceded districts and Chittoor and after so much time has been given to that conclusion by the majority of this House as to the headquarters of the University, it would be a sheer waste of public money and time to be further struggling in this matter. So far as matters have gone, there is yet room for us to hold together and to establish a second University at Anantapur. The affiliation to the University at Madras is to my mind to some extent an advantage. If the Government is so minded, it can give us all facilities to develop rapidly into a centre for University."

* The hon. the PRESIDENT :—"The hon. Member will not be in order if he develops the affiliation of Anantapur on the question of shifting the headquarters."

Mr. G. HARISARVOTTAMA RAO :—"I will limit myself to the scope of the Bill. I was merely saying, Sir, that the transferance to Vizagapatam was not likely to affect us very materially if the Government was prepared to stand by us and do all that was possible to develop Anantapur. We had our own suspicion against Government. It is up to the Government to dispel all our fears and help us to stand shoulder to shoulder. It is possible for the Andhra University to show magnanimity towards our district and do all that it can for the development of our district in the several branches of the University extension and other schemes.

31st January 1929] [Mr. G. Harisarvottama Rao]

"Therefore, I think that at this stage, there is no use struggling about that. Decidedly Vizagapatam is the best place on the east coast. There has been no doubt about it and I have never doubted it and I have expressed it so often. I am confident that we can help Andhra progress if we members are hereby united even in the face of the adversity we have suffered for want of funds arising out of exigencies of the political situation."

4-30 p.m.

* Mr. A. RANGANATHA MUDALIYAR :—"It is a matter for great gratification that this vexed question of University headquarters has at last been settled in some definite form, though I cannot congratulate the Government itself on the part it has taken in the settlement of this matter. Personally, I feel that, in this matter, the initiative must have come from Government and they should have settled the question long long ago instead of waiting for private Members to bring one bill or another and then try to achieve their object by means of amendments. I hope the hon. Minister will take my remark in the spirit in which I am offering it. More than one Member has expressed the fear that Vizagapatam having been made the headquarters of the University with the central districts out of its jurisdiction, it has dealt a serious blow to the establishment of an Andhra Province. I beg to submit, in all humility that their fears, to my mind, are utterly unfounded. If the principle of the redistribution of provinces is not yet a fact, it is not due to the lack of enthusiasm on the part of the Members, but because of the system of Government under which we are working. I beg therefore to assure my Andhra Friends that so far as the Andhra Province is concerned, they will find that all Members who come from the Telugu districts will stand shoulder to shoulder in regard to this matter."

* Mr. P. ANJANEYULU :—"Mr. President, I feel, gladdened to see at last my hon. Colleagues from the Ceded districts are in a way satisfied. If half-a-dozen years ago this question of headquarters, which was in an informal manner discussed in the very city of Vizagapatam during the time of His Excellency Lord Willingdon and under the guidance of Sir Patro, the then Minister for Education, was then settled, there would not have been any of these troubles at all. Much of constructive work would have been done by Government and the Andhra University would have had its own place among the Universities in this country. But you may remember, Sir, more than anybody else, why it took so many years to decide this question; it was to conform to the spirit and the demands of the Ceded districts; and the coastal districts thought that they would not have an Andhra University at the time without the co-operation and support of the Ceded districts. When all of them struggled together and when they were reaping the fruits of their labours, they thought that unless the opinion of the Ceded districts also was pooled, they would not have a University for the coastal districts alone. But, now they seem to take things in a sportsmanlike spirit, because the Council by an overwhelming majority seems to be willing to have the headquarters at one place, viz., Vizagapatam. So far as the coastal districts are concerned, though individually I have no predilection for one place more than any other, I should like to say that the determination and grit which in the latter days of this Bill seem to have got possession of the Minister were not present in the beginning; and in the interests of the parents and boys who go to the University I am constrained to assert that Rajahmundry would have been a better selection; even the Minister once said Rajahmundry would have been with its Sapper's hill about the best spot. Though we have all a

liking for Vizagapatam, I don't think from my experience of Vizagapatam, it is at all at ideal spot. Waltair may be very good, but the town of Vizagapatam down the hills is very malarial, and actually such of the boys of the Andhra country that go to Vizagapatam from other districts like Nellore, Guntur and Kistna for medical studies, invariably suffer from malaria. So, in spite of the gratification that my friends from the Ceded districts have with the off-chance of getting the Anantapur University in the near or distant future, individually, I am not satisfied that the Government have done the right thing in fixing the headquarters at Vizagapatam. They would have been better advised if either Bezwada or Rajahmundry had been selected; Rajahmundry especially, because there is already a first-class first-grade college there with all the advantages of Vizagapatam minus malaria. Under these circumstances, though as I have said before, he has to be congratulated this way, namely, that the representatives of the Andhras have rallied round, I am thankful for the turn given by my friends from Bellary and Anantapur that we should stand shoulder to shoulder when the question of the Andhra province comes, in spite of the University being taken away from certain districts. I am afraid, in spite of their assurance, I must give it as my humble opinion that I earnestly feel that the dream which we have dreamt for fifteen long years is rudely broken, that the idol of our worship is stolen away, and the hon. Minister like an iconoclast broke it to pieces. I can only put up with the thing taking courage into my hands hoping for a better University at a future date. Meanwhile I hope that this University will at least be given enough of funds and may soon be developed. Meanwhile, the students that are in other centres now may be given adequate opportunities to get their colleges affiliated to the Madras University or any other University whichever they like without much trouble to the students. Of course, this will cause a good deal of trouble and annoyance to the students attending different colleges. This aspect the Government does not seem to have considered. They only seem to have taken the view that they could go on from one centre to another, till at last they settled at Vizagapatam. We thought that on the banks of the sacred river Kistna the University would be located, failing that on the banks of the river Godavari; but now the headquarters is taken over to the shores of the Bay of Bengal. All the rivers, as all our hopes, have flown into the sea—*Nadinam Sagaro gathi.* I am only sorry for all this tantalising and this meandering, for we have wasted much of the time of the House and wasted much of the money which should have otherwise flown into the coffers of the University if this question had been settled one way or the other much earlier than now."

* Mr. L. K. Tulasiram :—"I rise to a point of order, Sir. Under Standing Order 49, sub-clause (2), I object to the passing of this Bill as a material amendment has been made. I only take the objection that the Bill need not be passed at the same sitting, and I appeal to you, Mr. President, as the custodian of the rights and liberties of this House to respect the minorities and feelings of the Andhra Members."

* The hon. the President :—"Is it a point of order or an objection to the passing of the Bill."

Mr. L. K. Tulasiram :—"I rely on the Standing Order."

* The hon. the President :—"The objection does not prevail."

31st January 1929]

*Mr. K. KOTI REDDI :—" Mr. President, Sir, now that the five districts in the Andhra desa have been excluded from the jurisdiction of the Andhra University Act and now that we see that there is a chance or rather a certainty of settling this question of the Andhra University which has been pending before this House for at least two years, I support this measure, though I am convinced that it is not the best solution of the problem. In considering whether Bezwada or Vizagapatam should be the headquarters of the Andhra University, I believe the Members from the Ceded districts and Chittoor have as much interest as the other Members from other parts of the Andhra desa have. Particularly, when my Friend from Bezwada appealed to this House to reject this Bill on the ground that if this Bill is rejected, Bezwada would remain the headquarters, and that if Bezwada remains the headquarters, there is every chance of the Ceded districts coming again under the Andhra University Act. So far as this question of the Ceded districts coming into the Andhra University Act is concerned, it depends absolutely, not on the location of the headquarters either at Vizagapatam or Bezwada. The question of centrality does not affect us. From the beginning we have been pleading that the question of centrality ought not to be made so much of. So, let not my friends from Bezwada feel that we are likely to be affected if Vizagapatam is made the headquarters. I have been pleading with all the vehemence that I can command both in this House, in the Select Committee and outside, that if we are one race, as some of us profess to be, and if we want to be together and on financial considerations, there is absolutely no necessity to have more universities than one in our Andhra country. Some of my friends both from the Northern Circars and Ceded districts have sought to make a territorial distinction, treating Ceded districts as a separate territorial entity from the Northern Circars. If really the two parts are different, as some of them have maintained, there is no reason why the Northern Circars people should insist on union. On the other hand, I believe we are one. If there are two universities, I don't see how it affects the question of the Andhras being one or coming together."

*The hon. the PRESIDENT :—" I am afraid, the hon. Member is referring to all the aspects of all the Andhra University Bills."

*Mr. K. KOTI REDDI :—" So, Sir, my hon. Friends from the Northern Circars need not really feel that this question has been settled in a way which affects the future of the Andhras or the Andhra province. In this connection, I must say, the charge that has been levelled against the hon. the Chief Minister is not really true, for on more than one occasion he gave us an opportunity of settling this question and told us that 'if you Andhras come with a united demand, I am prepared to pilot it through the Council. . .' More than once I made attempts to bring all the Andhra Members together. I made a proposal whether, if the majority of the Andhra Members of this Council agreed to a certain place being selected as the headquarters, all the members would agree. But very few would consent to such a proposal. So, finding that we could not come to an agreement on the question, the Minister has taken this matter into his own hands and has decided the question to the best of his knowledge. It is no doubt true that the vascillating spirit of the hon. the Chief Minister is responsible, not only to the delay in settling this question, but also to the unnecessary and unhappy hopes that have been engendered from time to time in the minds of people from various districts. This undoubtedly contributed to the

4-45 p.m

[Mr. K. Koti Reddi] [31st January 1929

putting off of this question for a very long time. But I may say this that although my friends from the Northern Circars now profess that they are all for the Ceded districts and so on, I have to refute that statement because whenever the hon. the Chief Minister showed an inclination for one place or another, Members representing that particular place have worked against Anantapur. Anantapur can be taken to be the symbol of the whole Ceded districts. It is no doubt true that others were prepared to vote for the Ceded districts, but representatives of the particular place which seemed to attract the attention of the hon. the Chief Minister were not prepared to vote for it. It really shows that Northern Circars as a whole are against the Ceded districts in this matter. But I do not on that account accuse them as each one of us is claiming the headquarters for his own place. But this ought not to make our friends feel that one section of this province is against them. And I believe, Sir, the time will come when probably, if necessary, we can all go back into one university. I only wish to say that the one condition to make the Ceded districts people to go and join the Andhra University is not by changing the headquarters from Bezwada to Vizagapatam, from Vizagapatam to Rajahmundry and so on, but to see that at the earliest possible moment or opportunity Vizagapatam is made an ideal university, an institution which apart from its situation and climate, will offer attraction on account of its intrinsic merits. Vizagapatam is situated at a place which is capable of immense development. It has so many natural advantages and it can grow into a good university. And my hope is that many rich zamindars who have been spending such large amounts of money in maintaining some of the colleges will be tempted to spend more money on the university, so that Vizagapatam may grow up to such a university that even though we may not be prepared to join on account of the long distance, still on account of its intrinsic merits people in the Ceded districts may be induced to go rather to Vizagapatam, in spite of the distance, than to Madras, or other places. We are now going to far off places in India as well as in the west, to England, Germany and other distant countries, in spite of the distance because the universities of those places provide good instruction. So, if Vizagapatam is developed by the help of the Government and the rich zamindars, into such an ideal institution in the near future, I have no hesitation in saying that we will be prepared before long to affiliate ourselves again to the Andhra University. This settlement, I believe, Sir, will not go in vain. So far as Vizagapatam is concerned, we have been always maintaining —I mean the people of the Ceded districts—that if we are not going to have headquaters in Ceded districts we would prefer Vizagapatam to any other place in the Northern Circars. I beg my friends from the Northern Circars to excuse us for maintaining this position, because if we are to affiliate ourselves to that university and when we are prepared to go as far as Bezwada or Rajahmundry we can as well go to Vizagapatam. Vizagapatam has its advantages so far as we are concerned. Apart from its climate, there is the possibility of every branch of learning being developed there. There is the medical college and there is the engineering college there. So students from the Ceded districts can, instead of going to Bezwada or Rajahmundry for arts and science and to Vizagapatam for medicine, etc., all go to Vizagapatam and maintain the spirit of oneness there. This spirit we have been always maintaining and so far as the East Coast is concerned, we would prefer Vizagapatam to any other place. In that way this arrangement which has been arrived at now is to a certain extent satisfactory. It was never our intention to separate ourselves from the

Andhra University as I believe even in the matter of affiliation the Andhra University would be better for us though for certain conveniences Madras may be preferred probably for some time to come. With these few words I support the motion believing that the time will come when we might be tempted to go back to the Andhra University."

* The hon. Dr. P. SUBBARAYAN :—" Mr. President, I am much obliged to my hon. Friend, Mr. Koti Reddi, for having at least understood the motive which made me decide on Vizagapatam as the best headquarters and the centre for the Andhra University. If you will bear with me for moment I want to refer to the question of the division of the Andhras for one moment. Far be it from me to divide the Andhras because I have too much respect for the Andhra sentiment, Andhra culture and Andhra emotion also as was said by my hon. Friend, Mr. Anjaneyulu, because my experience of them has been that they are very emotional and very fine people, much finer than perhaps my own Tamil people (A voice :—' Order, order.') I know my friend, Mr. Rajan, does not relish the idea because he is a Tamilian, but with all due deference to him I must say that there are some points about the Andhras which we have to admire. I say this though I have great respect for the Tamil race. I may, however, say this. Far be it from me to divide the Andhras. As I pointed out, when my friend, Mr. Muniswami Nayudu, moved for the omission of the Ceded districts from the Andhra University—and even now I say so—if really the Northern Circars people will treat the Ceded districts people in the way in which they ought to, I am sure the Ceded districts people themselves, who now want separation, will join the Andhra University. That is the opinion not only of my friend, Mr. Muniswami Nayudu, but also of my friend, Mr. Harisarvottama Rao. They say that though it is good at present for the Ceded Districts College at Anantapur to come back to Madras, it is very likely that it would get affiliated back again to the Andhra University. Mr. Harisarvottama Rao asked me to deal with the question about the future of the Anantapur college. As I have said at the meetings of the Select Committee, it is not the intention of the Government to close the college at Anantapur. On the other hand a special responsibility will now rest on the Government because the Anantapur college will hereafter be affiliated to the Madras University. And for the sake of the Ceded districts, which will really not have any university of their own or any important college affiliated to the Andhra University, it is the duty of the Government, and I am quite sure every one will admit that it is the duty of the Government, to develop the Ceded Districts College to the best of their ability so that it would be a centre of culture for people of the Ceded districts. (A voice :—' What about Rajahmundry ? '.) I am not dealing with Rajahmundry, but as my friend. . ."

* The hon. the PRESIDENT :—" I am sorry I cannot allow the hon. Member to deal with Rajahmundry. He has to deal with the question of headquarters, that is, only with Anantapur, Bezwada or Vizagapatam."

The hon. Dr. P. SUBBARAYAN :—" I do not deal with Bezwada. I know too much of Bezwada and its municipal chairman to deal with it altogether. He poured all his vials of wrath on my devoted head just because it has not been possible for me to have this university at the door of his house. That seems to be the ideal of Mr. Kaleswara Rao, as far as university education is concerned. I have borne with patience all that he said about the division of

Andhras. If any one is defeated about the question of headquarters. I do not think any one would take the view which Mr. Kaleswara Rao did, because as soon as he found that the centre would not be created at Bezwada, he wanted no other place to be made a centre because Bezwada was ruled out. But unfortunately he was defeated in this wonderful attempt of his to have a university without any centre at all. I will not deal any further, Sir, with the hon. Chairman of the Bezwada Municipal Council. I will leave him alone.

" Mr. President, I am glad that at least other Members of the House have realized the desirability of the location of the headquarters of the Andhra University at Vizagapatam. I am glad that the decision of the Government for Vizagapatam has had a vote in this house which will show that at least three-fourths of the majority of the Members in this House accept Vizagapatam as the headquarters, and I am indeed thankful to my hon. Friend, Mr. Kesava Pillai, for having gone on with his Bill in spite of the adverse vote that was given against him in the matter of Anantapur being made the headquarters.

" I will only say one word more, Mr. President, and that is with reference to the criticism of Mr. Ranganatha Mudaliyar. I will not take that criticism amiss in any sense. The fact is that Government could not put forward any Bill and the reason why they did not do so was that there have been so many Bills and Government thought they would achieve their object, instead of taking an official day for the business, by bringing forward amendments to these Bills.

" I now support the motion that this Bill be passed into law."

The motion was put and carried.

BILL No. 27 OF 1927.

The ZAMINDAR OF GOLLAPALLI :—" Sir, I beg to present the report of the Select Committee appointed to consider the Bill to amend the Andhra University Act, 1925 (Bill No. 27 of 1927) and move that the Bill as amended by the Select Committee be taken into consideration of the House. In doing so, Sir, I wish to say this. This Bill aims at two important changes. One is to allow first-grade colleges to be opened everywhere, and the other is to treat the political offenders with the same latitude as in the Local Boards Act and the Madras Legislative Council Electoral rules. By allowing the opening of first grade colleges at every place we are enlisting private philanthropy to a great extent. A man at Nellore cannot be expected to contribute to the University at Vizagapatam. So this change is very important. As for the political offenders, let us treat them, as we are treating them in the other Acts. Let us divorce politics from education. So I appeal to hon. Members that they may support the passing of this Bill into law."

Mr. P. ANJANEYULU :—" I have the honour to second this motion, Sir."

The hon. the PRESIDENT :— " The hon. Member may continue his speech tomorrow.

" The House will now adjourn and meet again at 11 a.m. to-morrow."

R. V. KKISHNA AYYAR,
Secretary to the Legislative Coucil.

APPENDIX I.

[Vide answer to question No. 1199 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on 31st January 1929, page 429 supra.]

Name of individuals.	Age.	Qualification.	District.	Date of first appointment.	Appointed by.	Post.	Subsequent appointments.	Date.	Place of posting.	Travelling allowance.	Remarks.
	YRS.									RS. A. P.	
S. Subrahmanya Pillai.	23	B.A.	Tinnevelly ..	5th Aug. 1927.	Registrar.	Routine clerk.	Clerk on Rs. 40.	10th Sep. 1927.	Madras ..	11 4 0	Returned to Cuddalore on 12th October 1927 and posted as Inspector.
S. Ramanatha Pillai	23	B.A.	South Arcot.	1st Aug. 1927.	Do.	Do.	Do.	6th Aug. 1927.	Do. ..	7 6 0	Resigned on 29th February 1928.
G. Gnanayya ..	24	B.A.	Tinnevelly ..	20th June 1927.	Do.	Do.	Do.	11th Sep. 1927.	Do. ..	4 2 0	Resigned on 5th July 1928.

APPENDIX II.

[Vide answer to question No. 1200 asked by Mr. Basheer Ahmad Sayeed at the meeting of the Legislative Council held on 31st January 1929, page 430 supra.]

648 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Development be pleased to state—

(a) the number of co-operative credit societies and banks in the districts of Coimbatore, Salem, South Arcot and Nilgiris;

(b) the number of such co-operative societies and banks exclusively established by and intended for Muslims in those districts;

(c) whether it is a fact that the Registrar of Co-operative Societies recently refused to register a Provincial Co-operative Muslim Bank at Udumalpet, Coimbatore district; and

(d) if so, why the application of the Muslim gentleman from Udumalpet was rejected; and whether the Government will place the correspondence on the table.

A.—(a) Coimbatore 567
Salem 469
South Arcot 845
The Nilgiris 62

(b) Coimbatore ... ... Nil.
Salem 2
South Arcot 3
The Nilgiris ... ... Nil.

(c) & (d) No such application was received.

APPENDIX III.

[Vide answer to question No. 1223 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on 31st January 1929, page 448 supra.]

EXTRACT FROM THE RULES UNDER THE REGISTRATION ACT.

CHAPTER I.

Office hours and holidays.

1. The offices of all Registrars and Sub-Registrars shall be open for at least six hours daily, Sundays and holidays excepted. The usual hours shall be from 11 a.m. to 5 p.m. and these shall not be altered except with the approval of the Inspector-General. If an alteration of these hours is sanctioned by the Inspector-General, a notice showing the altered hours shall be affixed in a prominent place in each office for the information of the public.

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2. A registering officer may decline to receive a document for registration if presented after 4 p.m. when he has sufficient work to attend to after that hour in connexion with documents previously admitted to registration.

3. The holidays to be observed in registration offices are the holidays notified by Government.

4. A document shall not be accepted for registration on an authorized general holiday except in a special emergency. When a Sub-Registrar accepts a document on such a day, he shall immediately make a report to the Registrar explaining the circumstances.

5. There is, however, no objection to registration at a private residence on a Sunday or other authorized holiday, nor to the transcription or return of documents on such days should the registering officer happen to be in his office.

Standing Orders of the Inspector-General of Registration.

98. Any sudden increase in registrations, the work in connexion with which cannot be performed by the permanent establishment without detriment and inconvenience to the interests of the registering public, shall be met by the employment of additional temporary clerks.

101. Application for extra aid for any and every increase in work will not be countenanced. The regular establishment is expected to work extra hours to cope with any temporary and inappreciable increase in their duties.


தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS